00032438

NOT TO BE ISSUED O T
WITHOUT PERMISSION.

BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY.
TOWN HALL, BOMBAY.

Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018

F/FC 46

# GERMANY

VOL. I.

# GERMANY

## PRESENT AND PAST

BY

S. BARING-GOULD, M.A.

AUTHOR OF 'THE VICAR OF MORWENSTOW' ETC.

Καὶ τά τε παλαιὰ καινῶς διελθεῖν, καὶ περὶ τῶν νεωστὶ γεγενημένων ἀρχαίως εἰπεῖν—Isocrates, *Panegyricus*, § 8

IN TWO VOLUMES

VOL. I.

32438 ac
WW-C46

LONDON
C. KEGAN PAUL & CO., 1 PATERNOSTER SQUARE
1879

943
Bar/Ger.
32438

(*The rights of translation and of reproduction are reserved.*)

# PREFACE.

GERMANY, her institutions and culture, are daily attracting more attention in England, France, and Russia. In military matters the two latter are content to copy her, with alterations of their own which are not improvements. There is much in the institutions which surprises, something in the culture which shocks, a foreigner. It is impossible for him to understand the former, unjust to judge the latter, without a knowledge of the history of German civilisation.

With nations, as with individuals, the features of maturity are the features stamped in childhood, but modified by circumstance. The factors of German national life are powers which must be reduced to their roots to be understood. Results without a hint of their causes are as unsatisfactory in social science as are miracles in the economy of nature. A traveller notes facts that appear strange to him. This is not a book of travels, and therefore I do not content myself with recording observations—I attempt to explain the cause of

the existence of those features which have attracted my observation. German culture has been treated in the same way as German institutions. The culture of a nation is not to be measured by that of another nation, but by the standards attained at different epochs in its own history. The adolescence of one nation has been favoured, that of another has not. One goes to school every day, and acquires every accomplishment without a break in the continuity of its schooling; another has to learn its lessons by snatches. This has not been borne in mind by certain recent American and English writers on German social life. They have noted defects and forgotten the causes, or have not paused to inquire into them. For three centuries Germany has been a battlefield, and constant warfare roughens manners, checks education, and cripples art. In estimating German culture we should wonder, *not* that there is not more, but that there is so much, after the Thirty Years' war, the war of the Spanish Succession, the Seven Years' war, and the wars of Napoleon. Culture, again, is not of manner only, but also of mind. If Germans fall short of the English standard in one particular, they shoot far ahead of it in the other.

The English traveller carries abroad with him something of the Pharisee. He thanks God that he is not as these foreigners: he does not put his knife into his mouth, nor talk noisily, and he always answers letters. But it is a pity that he does not occasionally take the place of the publican, and beat on his breast and say: 'God be

merciful to me a sinner, in that I have neglected to secure sound education for the middle classes; and to me a fool, for having squandered, and for squandering still, so much money on my army to so little military purpose.'

I have not concealed my view of the deficiencies in German culture, but I have pointed out the causes and suggested remedies. Most intelligent Germans are like Cromwell—they desire to be painted with their warts, if they must be painted at all.

Some of the subjects dealt with in these volumes are of such importance that one class of readers may complain that I have treated them too cursorily. My purpose has not been to deal comprehensively with each—to say all that might, or indeed ought, to have been said on each—but to squeeze into single chapters just sufficient information as will give the reader a general outline and idea of the subject, and for the sake of specialists I have added an appendix of authors who will enable them to master the details of the matter they desire to study. Though each subject has been treated lightly, I trust it has not been dealt with superficially. That there are imperfections in the work no one is more conscious than myself. Each subject touched is so full of interest, and has so many ramifications, that my difficulty has been rather what to leave unsaid than what to say; and here the judgment may not be always just.

# CONTENTS

OF

# THE FIRST VOLUME.


| CHAPTER | | PAGE |
|---|---|---|
| I. | THE UPPER NOBILITY | 1 |
| II. | THE LOWER NOBILITY | 33 |
| III. | THE LAWS OF SUCCESSION | 68 |
| IV. | PEASANT PROPRIETORS | 98 |
| V. | MARRIAGE | 130 |
| VI. | WOMEN | 169 |
| VII. | FOREST ROYALTY | 232 |
| VIII. | EDUCATION | 258 |
| IX. | THE UNIVERSITIES | 306 |
| X. | THE ARMY | 338 |

# GERMANY, PRESENT AND PAST.

## CHAPTER I.

### THE UPPER NOBILITY.

There are but two families in the world, as my grandmother used to say: the Haves and the Havenots, and she always stuck to the former.—*Don Quixote.*

'HERR BARON! Thank you,' said a waiter to a traveller, on receiving payment of the bill.

'I am not a Baron, *mein lieber!*' remarked the latter.

'Oh, Sir! we call every one Baron who tips with a ha'penny,' answered the Kellner, contemptuously pocketing the five-pfennig piece.

An Englishman is somewhat impatient to find barons abroad as thick as blackberries, and looking equally ragged. He is not a little amazed to find he has offended his tailor by not addressing him as 'Well-born,' and startled to hear that a daughter of one of our oldest and noblest families is not deemed well-born enough to mate with a lack-land German prince, whose ancestors a hundred and fifty years ago were gentlemen about court, and nothing more. A tradesman is 'well-born,' but the

daughter of an Anglo-Norman house, who marries the sixth son of Prince Potztausend, is doomed to bear her maiden name, and know that out of England the union is regarded as morganatic, and her children as illegitimate.

Germans, like Frenchmen, are quite incapable of understanding English aristocratic distinctions. I have known a lady refuse to allow her daughter to dance with sons of some of our first county families, and heirs to baronetcies, because they bore no 'von' before their surnames, and therefore could be no gentlemen. In a drama of one of the best German playwrights, laid in England, an 'esquir' (*sic*) is addressed as 'milord,' an earl's wife is entitled 'Lady Harriot,' and the eldest son of a peer is Sir Jones, Baronet. Englishmen too often speak with contempt of the German nobility, because titles are common and the majority of the bearers of them have no estates. As a fact the majority of nobles without estates have flowing in their veins the bluest blood in Germany, whereas some of the princes, who can only mate with royalty, are mere *parvenus*. The stratification of the German classes, and of the aristocracy, is most peculiar, and quite unlike what we meet with in England. It is absolutely inexplicable without an historic sketch of its growth and alteration.

When the mist clears off early German history, we find the inhabitants of the land divided into two strongly marked classes, the Free and the Not-Free.

The not-free class constituted most certainly a conquered people, distinct in blood from the Germans who subjugated them. The conquered race remained bound to the soil, and were denied the right of bearing arms, and pleading in a court. They were like the Rayas in Turkey. They were neither 'wehrfähig' nor 'rechtsfähig.'

The serf tilled the soil; the freeman held jurisdiction over it, and fought in its defence. Between the classes hovered a swarm of Lazzi or Freilazzi (*i.e.* Frei-gelassene), men emancipated from serfdom, that they might become 'wehrfähig,' capable of wielding a sword, and fight for their lords. But it took three descents to convert a Lazzus into a Freeman.

One sharp law kept the classes apart as castes—this was the law of 'Ebenbürtigkeit,' which forbade a freeman marrying below his class. If he did so, both he and his children ceased to be free, and were numbered among serfs. The freewoman who married a serf became herself a serf. This gave occasion to a common speculation in the early Middle Ages, which had to be checked by law. Nobles sent their serfs out into the world to pretend to be freemen, and so to pick up free wives. Then the lord asserted his prerogative, and the deluded wife found herself suddenly degraded. Among the Saxons the serf who acted thus was punished with death. The object of the law of 'Ebenbürtigkeit' was to keep Teutonic blood pure from various and villein strains.

Salic law, and the law of the Ripuarian Franks, knew nothing of a nobility. Only two birth ranks were recognised—the free and the not-free. Nobility and freedom were equivalent ideas. All free-born were 'ebenbürtig.'

But though in the Frank empire there was no privileged class among freemen, there were personal privileges enjoyed by a favoured few. These were the men who stood in close relation to the king, and acted as his officers in the administration of justice. These officers were noble, in so far that they were raised above their fellow-freemen, but this ministerial nobility lacked the essential element of aristocracy—it was personal, not hereditary. These officers, whether temporal or spiritual, held their

nobility for life only. Such were the bishops, chief abbots, dukes and counts, the royal butler, sewer, forester, and marshal. The great bulk of freemen lived on their estates, and let them out to free or servile farmers. As enjoying freeholds, they were entitled Freiherren—free lords—or Barons. *Baro* is an old German word meaning *a man*, that is a man of substance, exercising all the rights of a freeman. The holder of an allodial estate was an adeliger, a gentleman. If he lost his estate he ceased to be an adeliger, but not to be a freeman. But I am not now going to speak of the landed gentry who constituted the lower nobility, but of the royal officers who have formed themselves into a superior caste.

The Empire under Charlemagne was this. The whole country was parcelled into shires. A shire (*gau*) usually took its name from the river that flowed through it, or from the conspicuous object in it; as a frontier it was called a *mark*. Over every 'gau' and 'mark' was a count—'graf.' Over the royal stable was a Stallgraff (constable or marshal). Over the crown land, a steward called Pfalzgraf or Count Palatine, held rule. The Grenzgrafen or Markgrafen (margraves) kept the frontiers against Sclavonic barbarians. The Burgraves held the royal castles; Woodgraves, Saltgraves, Dykegraves, Millgraves, and Hansgraves saw after Imperial rights in later times in forests and salt mines; looked to the condition of the mills, canals, and the trade of the Hanseatic towns. There was even a Spielgraf, with jurisdiction over the tumblers, jugglers, minstrels and clowns of the royal household.

A Graf was a minister of the king, and on his death his office and title were given by the crown to another favourite. The title is derived from *gerefa*, judex, exactor fiscalis; and it retains in England some of its old significance as applied to the sheriff of the county (scire-gerefa) and

the portreve (port-gerefa). Among the ancient Germans a duke—'Herzog'—was the general in command in time of war, and with the cessation of war his office and title expired. Dukes, however, soon retained their titles, and remained as permanent centres round whom the country could be mobilised. When, as with the Alamanni and the Bavarians, they ruled over distinct races, the rank of duke became hereditary in a family, and with the break-up of the empire the dukes became independent. It was by crushing the dukes that the Carlovingian monarchy was founded. Under Charles the Great there were none; but with the fall of the Empire they reappeared, the holders of several counties and possessors of large estates. Conrad I. endeavoured to reduce them. Henry I. issued from their midst, and thenceforth their position was recognised. There were dukes in Saxony, Franconia, Bavaria, Austria, Swabia, and Lorraine. The kings used their utmost endeavours to bring the duchies into their own families. Thus the duchies of Swabia and of the Alamanni, Elsass and Franconia fell to Austria through the extinction of the Hohenstaufen. That of Lorraine was weakened by division. The Bavarian alone maintained its independence and integrity till the thirteenth century, when it also fell a prey to division. At the same time the Sclavonic princes assumed the title, fresh duchies were created, and the ducal office became titular, nothing more.

But to return to the Counts. The office of count was, as already said, given for life only. But as, on the death of a count, the transfer of the office to another family caused jealousy and discontent, it was soon found advisable to make these offices hereditary. With the office went very generally crown lands given in feof. These were also continued now in a family, and became hereditary like the office, by tail male. Even in the last days of

the Frank monarchy there was no hereditary nobility in Germany, other than that of the Freiherren; but the germ of a court aristocracy was laid, which from generation to generation received from the crown great benefices, and appropriated the most lucrative offices in the realm. This 'Beamten' aristocracy was, no doubt, in part recruited from the landed gentry, the Free-lords seated on their allodial estates, but far more from the flunkies of court favour, emancipated serfs, and all the rabble who hang about a court.

As soon as these benefices and offices became hereditary, the division between the nobility and the gentry was completed. Every crown officer had originally represented the sovereign in his 'gau'or 'mark,' and acted for the king as source of justice in it, responsible to none save the king. Thus he became 'immediate' (*unmittelbar*). All other freemen, however large their estates, were 'mediate' (*mittelbar*), subject to the jurisdiction of the crown, acting through the count. It was natural that the families of these imperial officers should hold their heads high above the ordinary landed gentry, over whom they, in the name of the king, exercised authority. 'Beamten' insolence has been the bane of Germany in all ages. When the offices became hereditary, the dignity which was at one time personal passed imperceptibly to the family, and thus arose the conception of a noble race towering above the simple Freiherren living on their estates and with pedigrees purer and more ancient than those of these minions, or soldiers of fortune, who lorded it over them and disdained to associate with them in marriage. But in the eye of the law, for a long while, there were still but two classes—freemen and serfs. The nobles were the first only among their equals, *primi inter pares*, nothing more. The Sachsen-Spiegel, drawn up about 1215, classes all to-

gether: 'princes, barons, and ordinary freemen are alike in fine and wehrgeld.' And though, in documents of the twelfth century, the same person is termed indiscriminately *princeps*, *nobilis*, and *liber*, the great feudal vassals of the crown persisted in distinguishing themselves as princes, and in cutting themselves off from the true landed nobility on the soil.

The Schwaben-Spiegel, drawn up a century later than the Sachsen-Spiegel, shows us how successful they had been. In it the freemen are divided into three distinct classes, the Semper freien—the great vassals holding 'immediately' from the crown; the Mittel freien—the gentry living on their freeholds, or serving in the courts of the great vassals; and the Landsassen, the yeomen, farming their own small properties, or renting those of landlords.

But the surest token of a cleavage of ranks is found in the lack of 'Ebenbürtigkeit.' Now, whereas the Sachsen-Spiegel makes all freemen, from the yeoman to the duke, ebenbürtig—able, that is, to contract marriages with each other's families, without loss of rank—the Schwaben-Spiegel makes an union between a Semper frei and a Mittel frei so great a mésalliance, that it disqualifies the children from inheriting their father's rank and dignities. Step by step an hereditary nobility had established itself among the officers of the crown, enjoying special immunities and sovereign dignities. It was no longer a class of freemen devoting itself to serve the crown, but a close corporation of princes (Fürsten), whose members, whether high up or low down, could intermarry, but who could not unite with those who were 'mediate.' The title of Prince (Princeps, Fürst) had, till the close of the twelfth century, no technical signification, but was applied to rulers generally, that is, to all who bore authority. It was only at the end of the twelfth century that the Im-

perial Chancery gave it a special signification, and made it applicable only to those exercising direct control over their lordships—to Dukes, Margraves, Counts Palatine, and such counts as remained invested with 'immunitas,' as those of Tyrol and Henneberg, and to bishops, abbots and abbesses, who also enjoyed this prerogative, as the Provost of Berchtesgaden, and the Abbess of Gandersheim.

When the duchies of Swabia, Franconia, and Elsass fell into abeyance through the extinction of the Hohenstaufen, the small barons, or lords of manors, were left pretty much their own masters, and they took advantage of the occasion to assert, and, where possible, to establish their sovereignty over their petty estates. The Emperors experienced so much opposition from their great vassals, that they favoured these small landholders, who always held by the Imperial crown in its contests with the Electors. At the close of the fourteenth century there were organised confederacies of the knightly lords of manors in Swabia, Franconia, and on the Rhine, and in 1422 the Emperor Sigismund took them under his protection and confirmed them in their immunity. They also were 'immediate.' But the princes would not allow them to be 'ebenbürtig' with themselves, for the Free-imperial-knights were sovereign on their *own* estates; whereas the princes were so on estates held in feof from the Emperor, and exercised their jurisdiction over other families who were 'mittelbar.' The real reason was, however, that there were too many of them.

The Free Knights of the Rhine formed themselves in 1527 into the cantons of the Upper, Middle, and Lower Rhine. Following this example, in 1543, the Swabian knights organised themselves into five cantons.

In England the Crown was sufficiently strong to

prevent the great vassals from breaking loose from the constitution. In France, the duchies of Normandy, Brittany, Guienne, and Burgundy, the counties of Toulouse, Champagne, Flanders, &c., established their independence under the last feeble Carlovingians. But the Crown of France had the good fortune to be able to gather them in, one after another, under its sovereignty, so that only a few—as Bouillon, Doubes, Orange, Avignon, and Venaissin—were able to maintain themselves to a late period in partial independence. Finally, the hand of Richelieu, under Louis XIII., reduced them all to subjection. But it was different in Germany; the Crown there was much more truly elective than in England and France, where it was so in theory rather than in fact. In Germany it passed from the Frank to the Saxon, to the Bavarian, the Swabian, and the Austrian houses. Elections were disputed, and rival candidates maintained brief authority. The princes, electors, and great vassals became all-powerful, and the supremacy of the Emperor existed more in name than in reality.

The princes—that is, the great feudal vassals—had their own code of laws, the Fürstenrecht; and by means of that established themselves as a class apart from all others, as the highest stratum of the social lump. In the Volksrechte of the several German races, the principle prevailed that 'the child should follow the inferior hand;' that, for instance, in a marriage between free men and serfs, the child should be servile. But this principle was not intended to go further. The Fürstenrecht gave it another character altogether, by making it applicable to the intercourse of princes with the gentry and bürgers. Gentry and bürgers were free men; but the princes began to treat them as the free men had treated the serfs—to forbid intermarriage with them. The

Volksrechte established the law to keep Teutonic blood from intermixture. The Fürstenrecht used it for the purpose of glorifying the class of crown vassals at the expense of others.

Nothing of the sort existed elsewhere. In France no law of the sort was known. The Princes of Vendôme, Verneuil, Vermandois, Maine, Penthièvre, &c. were legitimatised, not because they sprang from the union of a sovereign with a woman of another class, but because they were the children of mistresses. Among the noble families the children proved their blood by their father's pedigree. It is the same in England. James II. married the daughter of Chancellor Hyde, and their daughters, Mary and Anne, came to the throne. This could not have been in Germany. Mary and Anne would have been esteemed illegitimate. As English peers were not 'immediate,' exercising legal jurisdiction within their counties and duchies, the German high nobility never have acknowledged, and do not at the present day acknowledge, them as their equals in birth. Marriage was allowed with only six French families, which, although not enjoying sovereign rights, were yet related to reigning families, or were descended from houses once sovereign. These were the houses of Lorraine, Savoy, Grimaldi (princes of Monaco), Rohan, Trémouille, and La Tour d'Auvergne (Dukes of Bouillon).

The title of Fürst or Prince belonged to the holder of a feof under the crown, who exercised immediate jurisdiction in his principality. Consequently landgraves, margraves, counts palatine, burggraves, as well as dukes, were princes. So also were all such counts as had acquired independence in troublous times, and had wrung from the emperors acknowledgment of it, even though they did not acquire a right to sit in the Imperial Diet.

When a count who was a prince died, he left, we will

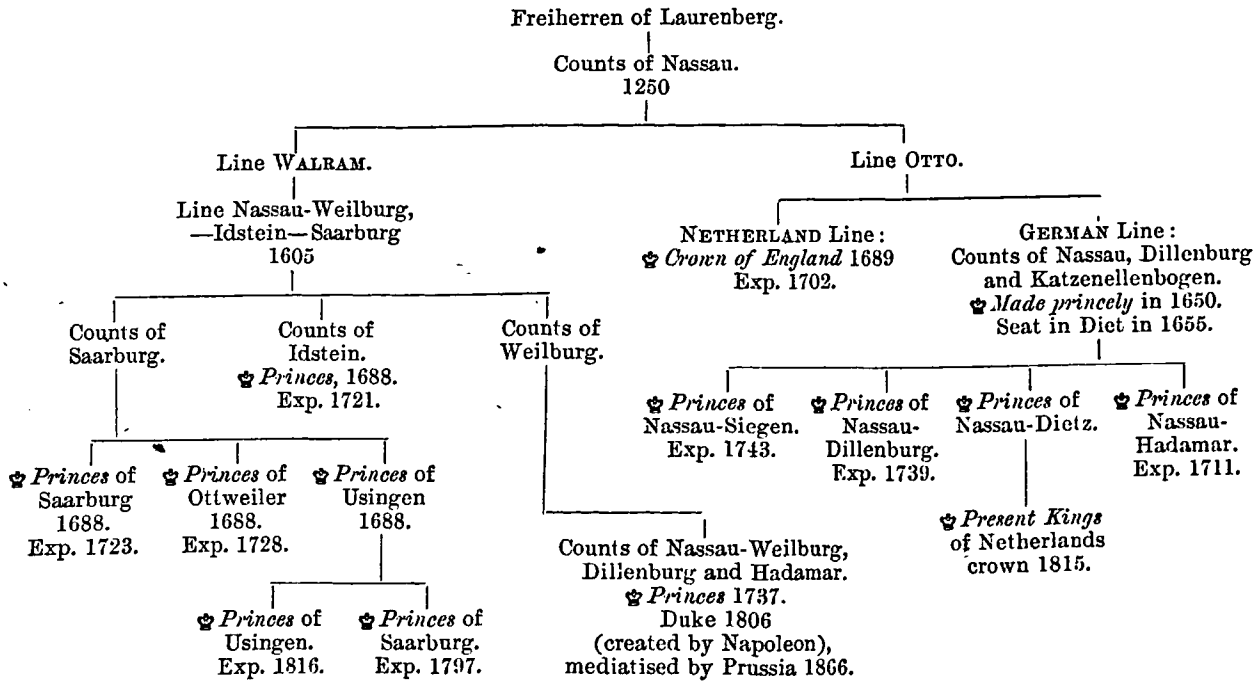
say, six sons. Then the estates of the family, and, after a time, the crown feofs, were divided equally among them all; but one son only, or at the utmost two, remained responsible for the feudal lands to the crown, and this one son inherited the title of prince, whereas his brothers did not. They remained counts, calling themselves after the estates they inherited, but were not princely counts.

Beside the princes, temporal and spiritual, were the free imperial cities. In these the council (*Rath*) exercised 'immediate' jurisdiction, and delegates from these free cities sat with the princely electors in the Diet. In 1512, under the Emperor Maximilian, the Diet (*Reichstag*) was a body of three ranks, or classes—the electors, the princes, and the free cities. The electors alone had a voice in the nomination of the Emperor. At this date the Diet was composed of about a thousand 'immediate' princely powers, secular and ecclesiastical. Of the latter there were seventy-four.

In the course of the next three hundred years a great number of illustrious princely and countly houses died out; as, for instance, the dukes of Pomerania, of Juliers-Cleves-Berg, of Saxe-Lauenburg, the margraves of Anspach and Baireuth, the princely counts of Henneberg, and the counts of Mansfeld, Gleichen, Hanau, Schaumburg, Diepholz, &c. But the Emperors of Austria set to work recruiting the ranks, in a manner not creditable to themselves. Already, at the end of the fifteenth century, they had begun issuing patents to their favourites conferring on them the titles and prerogatives of princes. The very first to receive such a diploma was the Count of Croy, an ancient house in the Netherlands. In 1486 it was made princely. But it was not till late, in 1803, that it was admitted to a place in the Diet. The Arembergs, who obtained title and seat in 1583, sat next to the dukes of

Würtemberg, and older families by far, such as those of Orange and Hohenzollern, took very subordinate places. After the Thirty Years' war new princes were created by the dozen—as the Liechtensteins, the Diedrichsteins, the Auerspergs, and the Esterhazys. Many of these families were of no antiquity or were insignificant; they received their princely coronets as rewards for conversion from Protestantism. A needy Italian, Count della Torre del Tasso, came to the court of Frederick III. and was made chief forester. He then organised a postal service, and his grandson, in 1500, was created postmaster-general; and this office and the farming of the post-office were made hereditary in the family. The post-office was a great success, and made the fortune of the masters. Torre del Tasso became, in German, Thurn und Taxis; in 1605, Leonard von Taxis was made a baron, and in 1621 his son was created a count. He established a riding post between Italy, Germany, and the Netherlands. The income brought in by the post mounted to a million of florins annually. In 1686 the house was made princely, but did not gain a place in the college of princes of the empire till 1754. Though thus made to rank with sovereigns, they never possessed 'immediate' jurisdiction. The Auerspergs, Liechtensteins, Esterhazys, and Trautmanndorfs were made princes as a reward for abandoning Protestantism. I have said that, when a prince had several sons, the estates were divided among them, but that one only retained the title and dignity of prince. This was the case till the end of the Thirty Years' war, when every petty count could obtain from the Emperor recognition of the independency which was virtually his.

The following table of the branchings of the family of Nassau will show how one small countly house could become a nursery of princes:—


Freiherren of Laurenberg.
Counts of Nassau.
1250
Line Walram.
Line Otto.
Line Nassau-Weilburg,
—Idstein—Saarburg
1605
Netherland Line:
♔ Crown of England 1689
Exp. 1702.
German Line:
Counts of Nassau, Dillenburg
and Katzenellenbogen.
♔ Made princely in 1650.
Seat in Diet in 1655.
Counts of
Saarburg.
Counts of
Idstein.
♔ Princes, 1688.
Exp. 1721.
Counts of
Weilburg.
♔ Princes of
Nassau-Siegen.
Exp. 1743.
♔ Princes of
Nassau-
Dillenburg.
Exp. 1739.
♔ Princes of
Nassau-Dietz.
♔ Princes of
Nassau-
Hadamar.
Exp. 1711.
♔ Princes of
Saarburg
1688.
Exp. 1723.
♔ Princes of
Ottweiler
1688.
Exp. 1728.
♔ Princes of
Usingen
1688.
♔ Present Kings
of Netherlands
crown 1815.
Counts of Nassau-Weilburg,
Dillenburg and Hadamar.
♔ Princes 1737.
Duke 1806
(created by Napoleon),
mediatised by Prussia 1866.
♔ Princes of
Usingen.
Exp. 1816.
♔ Princes of
Saarburg.
Exp. 1797.

After the fashion of the Emperor, each Elector constituted his court, with sewers, butlers, foresters and marshals, chosen from among the landed gentry of his province. And just as in the Empire such officers were made hereditary, so was it in the provinces. A Prince Palatinate held his court with as great splendour as the Emperor; and the best families in the Palatinate ministered to the Elector as to their king. The present house of Schönborn is descended from a Rhineland family in which was the hereditary office of butler to the Archbishop of Mainz. The Metternichs were hereditary chancellors to the Archbishop of Cologne. The Stadions, sewers to the see of Augsburg. The Wurmbrands, cooks to the counts of Styria. The Count von der Lippe held the basin, and Count Bentheim poured the rose-water, at table, over the fingers of the Elector of Hesse-Cassel.[1]

The law of 'Ebenbürtigkeit' has been already spoken of. We shall see now its working in the families of the princes.

According to this law, a prince, or a count of the Empire, if he married beneath him, even with a daughter of one of the old noble families of the land which was 'mediate,' could not leave his titles and office to his children by her. The children followed their mother, bore her name, and were, in the eye of the law, illegitimate.

The Elector Frederic of the Palatinate, in 1462, married Clara Detten, an Augsburg damsel, lady-in-waiting and singer at the court in Munich. His son by her, Ludwig, was, at his request, made Count of Löwenstein by the Emperor Maximilian, and is the ancestor of the princely house of that name in Würtemberg, which can

[1] All these families are now princely, and can only mate morganatically into our great houses.

now only mate with sovereign houses. It was in vain that Frederic tried to obtain recognition of his bürger wife, and of his son as his legitimate heir. Ludwig was obliged to content himself with the county of Löwenstein bought for him.

The Archduke Ferdinand of Austria married the beautiful Philippina Welser, a member of one of the wealthiest citizen families in Augsburg. The Emperor created her Margravine of Burgau, and Ferdinand's sons took their mother's title. Succession to the Austrian dukedom or any of their father's titles was not possible.

One house in Germany has been conspicuous for its mésalliances. This is the house of Anhalt-Dessau. We will look at its history and see the curious consequences of this law of 'Ebenbürtigkeit.'

Leopold I., 'the old Dessauer,' insisted on marrying Anna-Louise Föhse, daughter of an apothecary, in spite of his mother's remonstrances. To save the house from extinction, the Emperor, in 1701, raised Anna-Louise to the rank of Princess of the Empire, so as to legitimatise her children. She left four sons; the eldest of these, Gustavus, did not succeed his father, for he died before him. Gustavus married, also below his rank, a brewer's daughter, and by her left six sons. But though the Emperor ennobled them and made them counts, they were not allowed to succeed 'the old Dessauer,' and consequently Leopold's second son followed him on the princely throne. Prince George of Dessau married Theresa von Erdmannsdorf, daughter of a Prussian chief forester, and left by her three sons. His brother William married Emilie Clausnitzer, daughter of a music-master, in 1841. The pastor who married them was fined 1,000 thalers. Their children had to be ennobled, but were never regarded as capable of succeeding to the principality.

John Günther, Prince of Schwarzburg, left four sons. The two eldest died without issue. The third married below his rank, and though he had sons, on the death of John Günther the youngest brother succeeded. The nephews were treated as illegitimate. Charles Frederick of Anhalt-Bernburg, who died in 1721, married the daughter of the Imperial Chancellor Nüssler; but, though the Emperor created her Countess of Ballenstädt, her sons could not obtain recognition as heirs presumptive. The Duchy of Saxe-Coburg-Gotha passed over the heads of the sons of Duke Christian Ernst (*d.* 1745) to their uncle, because the Duke had married 'unebenbürtig.'

Duke Rudolf Augustus of Brunswick-Lüneburg, after the death of his first wife, loved Elizabeth Rosina Meuthe, daughter of a barber of Minden. 'You shall not be my left-handed, but my right-handed wife,' said the prince to her as they were married at Hedwigsburg in July, 1681. They lived together happily for twenty years, but without their having any children. Had she borne him a son, the child would not have been recognised by the Estates, in spite of the Duke giving its mother his right hand.

Princess Augusta Amelia of Nassau married the Prince of Hesse-Homburg in 1804, and was divorced from him next year. In 1807 she married Herr Friedrich Wilhelm von Bismark, her brother's adjutant. To help him up into something like equality with her, the King of Würtemberg made him count. In 1848 the princess died, and then the count married her chambermaid, Amalie Thibaut. If his first marriage had been 'unstandesmässig,' so was his second, now that he was a count, and the Würtemberg government refused to acknowledge his children by the second wife—he had none by the first—as legitimate. Consequently his title has gone to his nephew. The case is the more curious as the Graf was not made

'ebenbürtig' with princes, and therefore does not come under the law that affects their marriages.[1]

The result of the Thirty Years' war was not exactly the survival of the Fittest, but of the Biggest. The lower nobility had been greatly exhausted; whole families had been swept away. How readily this extinction was likely to occur among a class, the sons of which were born to war, may be judged from a few examples. In 1278, in the battle of Marchfeld, there were fourteen Trautmannsdorfs left dead. In that of Mühldorf, in 1322, twenty-three of the same family rode with Frederic of Austria against Louis the Bavarian, and of these twenty fell. Three only escaped to continue the line. In the Seven Years' war, one family, that of von Wedel, lost fifty-three of its members on the battle-field. The immunities of the Free-imperial-knights were jeopardised. The number of those who claimed them was greatly reduced. The power of the Free cities was broken, and the ecclesiastical estates were a prey to the first appropriator. The Rhenish palatinate was, moreover, gone. The ancient Empire existed merely in name; the supremacy of the Emperor, and with it the unity of the body of the State, sank to a mere shadow. Every member of the Empire exercised the right of proclaiming war, of concluding peace, and of contracting treaties with every European power, the Emperor alone excluded. Each of the princes possessed almost unlimited authority over his subjects, whilst the Emperor retained only some inconsiderable prerogatives or reservations. The princes were further strengthened by the secularisation of a multitude of ecclesiastical prin-

[1] A glance at the *Almanach de Gotha* will show that at present there are several morganatic marriages in German sovereign and princely families. The children of all these unions are illegitimate. They cannot take the father's princely rank and title.

cipalities and estates. The Elector of Brandenburg appropriated to himself the Bishoprics of Halberstadt, Minden, Camin, and the reversion of Magdeburg. Oldenburg laid hold of the Bishopric of Lübeck. The Bishoprics of Schwerin and Ratzeburg fell to the grasp of Mecklenburg. The Elector of Hanover obtained alternately with a Catholic prelate the diocese of Osnabrück. Hesse-Cassel appropriated the lands of the Abbey of Hirschfeld. But the most curious instance of growth of a principality by means of confiscation was that of Waldeck. Francis, Bishop of Münster, was a baron of Waldeck,[1] with a castle in forest-land, and a few acres of estate about it. He embraced Lutheranism, and took as his mistress a certain Anna Polman; by her he had three natural sons, who took as their arms a half star, in place of the whole star of the pure-blooded Waldecks. The Waldecks used their zeal for the Gospel to greatly extend their material prosperity, by appropriating to themselves all the lands of the Church on which they could lay their hands. The town of Arolsen by this means came to Waldeck, and the whole county was made Lutheran compulsorily in 1542, whilst Münster was restored to Catholicism by the bishop as the price of getting assistance from the Emperor in reducing the Anabaptists who had wrested it from him. The Waldecks were not 'immediate,' but held Pyrmont in feof to the diocese of Paderborn, and for their county of Waldeck they were vassals of Hesse-Cassel. It was not till 1782 that this house, issued from the illegitimate brood of a renegade bishop, which had amassed wealth by plunder, obtained recognition as princely, on the coronation of Charles VI., but even then it was not allowed a seat on the bench of princes in the Imperial Council.

[1] In 1262, 'nobilis vir Adolphus de Waldegge;' in 1327, 'dominus de Waldecke.'

In the period of Napoleon's greatness, the main object of the German princes was the salvation of their own sovereignties, at whose expense mattered little.

> Ach du heiliger Florian,
> Verschon mein Haus, zünd andre an!

It is difficult to conceive an attitude more humiliating than that assumed by the princes at this time. Instead of rallying round Austria in heroic opposition to Napoleon, they cringed at his feet. On March 28, 1806, in defiance of the Constitution, von Dalberg, the Chancellor, named Napoleon's uncle, Cardinal Fesch, as his coadjutor and successor in the see of Mainz, which was to become a secular principality in the family of Napoleon. Thereupon sixteen German princes formally decreed their separation from the Empire.

By the Peace of Presburg, the year before, the Electors of Bavaria and Würtemberg had been accorded the title of king. In gratitude for this favour they led the servile troop, and were followed by the Landgrave of Hesse-Darmstadt and the Princes of Nassau, Hohenzollern, Salm, Isenburg, &c.

On August 1, 1806, the French ambassador, Bacher, declared that his Emperor no longer recognised Germany as an empire; and on August 6, Francis II. laid down the crown of Charlemagne. Thereupon Napoleon rewarded Dalberg by creating him Prince-Premier. Of old, at the coronation of a German Emperor, the herald had proclaimed, 'Where is a Dalberg?' and with the sword Joyeuse the newly-crowned Emperor had knighted one of that family. It had for centuries been an hereditary prerogative of the family of Dalberg to be the first to receive honour of the sovereign. In 1806, the first to lift his heel against his Emperor was a Dalberg. The Elector of

Baden, the Landgrave of Hesse, for their subserviency, and Joachim Murat, Duke of Berg, were raised to grand dukes, with royal rights and privileges. The Prince of Nassau-Usingen became a duke, and the Count von der Leyen was made a prince. The French Emperor proclaimed himself patron of the Bund.

By decision of the Rhenish Confederacy, Nürnberg lost its independence and fell to Bavaria; Frankfurt became the seat of the Prince-Primate; Heitersheim, which had belonged to the German knights, was annexed to Baden; Friedberg fell to Hesse-Darmstadt. But at the same time a number of princes and counts who had been made, or had made themselves, independent, or 'immediate,' were 'mediatised,' *i.e.* made subjects. Such were the Princes of Nassau-Orange-Fulda, of Hohenlohe, Schwarzenberg, Löwenstein, Leiningen, Thurn und Taxis, Salm-Reifferscheid-Krautheim, Neuwied, Wied-Runkel, Dettingen, Fugger, Metternich, Truchsess, Fürstenberg, Solms, the Landgrave of Hesse-Homburg, the Dukes of Croy and Looz-Corswarem, many countly, and all the remaining baronial families, which boasted their 'unmittelbarkeit,' or 'immediateness.'

One remained, overlooked, when the map was rearranged. The Liechtensteins were in the sixteenth century marshals to the dukes of Carinthia, and therefore 'ministrales' of the house of Hapsburg. Originally an old Moravian family of Herren von Liechtenstein, they were created princes in 1621, during the Thirty Years' war, and as none of the family estates in Austria were 'immediate,' they bought the little county of Vaduz, among the rocks under the Sessaplana, on the upper Rhine, over which they could exercise sovereign jurisdiction. When the Rheinbund recast the map of Germany, this little territory was by oversight left un-

mediatised, and to this day it remains an independent principality of not nine thousand inhabitants, scattered over three geographical square miles.

On September 25, 1806, the Elector Bishop of Würzburg joined the Rheinbund, and was rewarded for his submission with the title of grand duke. The Elector of Saxony then stole in, and was repaid with the royal crown (December 11, 1806). It was now a race who could get in and get something. The Saxon dukes followed; then the two Princes of Reuss. The Dukes of Mecklenburg came next. Somewhat sulkily Oldenburg stole under cover. By decree of December 10, 1810, Napoleon annexed to France the Duchy of Mecklenburg, a large portion of Westphalia, and Berg. The Duke of Aremberg lost half his lands to France and half to Berg. The Princes of Salm also saw their territories incorporated into France. The two Dukes of Mecklenberg, who had been almost the last to join the Bund, were the first to leave it (1813) and join Prussia and Russia against Napoleon. They were followed by the Grand Dukes of Baden and Hesse-Darmstadt, the Kings of Bavaria and Würtemberg. Two hesitated—the King of Saxony and the Grand Duke of Frankfurt. The former lost thereby half his land, the latter all. The same fate attended the French intruders, the King of Westphalia, and the Duke of Berg. The Duke of Aremberg and the Princes of Isenburg and von und zu der Leyen and Salm, who had been spared by the Rheinbund, were mediatised by the Congress of Vienna. Forty-five princes, of whom three were dukes and forty-one counts, also lost their independence, and were forced to bow under the rule of their more favoured or fortunate neighbours. Lippe had been saved from mediatisation by the sagacity of the Princess Pauline, who sent the Empress Josephine a dress embroidered with blue jays' feathers, and so bought her intercession with Napoleon. Mediati-

sation was somewhat arbitrary. Prince Fürstenberg became the subject of the Prince of Hohenzollern-Sigmaringen, whose territory was not more extended, nor his ancestry more illustrious. But Fürstenberg was forced to pass under Hohenzollern, and not Hohenzollern under Fürstenberg, because the descendant of another branch of Hohenzollern sat on the throne of Prussia. In 1849, Prussia mediatised Hohenzollern-Hechingen and Hohenzollern-Sigmaringen, and appropriated the principalities, to supply her with a convenient foothold in the midst of Würtemberg. Mediatisation was nowhere opposed except at Mergetheim, where the bauers refused to give oath of allegiance to the King of Würtemberg till released by their old lord, the Archduke Anthony of Austria. Frederick of Würtemberg marched dragoons among them and hung and shot the objectors. The marriage of provinces to kingdoms has its honeymoon not on union, but long after.

In vain did the mediatised princes protest and appeal to Austria. Austria was powerless to help them.[1]

By the Act of the Rheinbund certain rights had been reserved to them.

1. They were to be regarded as 'ebenbürtig' with reigning families—*i.e.* able to contract marriages with sovereign houses.

2. They were to form the highest aristocracy in the land into which their principalities were absorbed, and to have a position in the House of Peers. Confirmed in 1815.

3. They were to be exempted from taxation.

4. They were to be allowed to exercise magisterial rights on their estates. This privilege was withdrawn in 1848.

[1] They were said to be *mediatised* because before they were *immediate* governors of their territories, 'reichs-unmittelbare Fürsten.'

5. They were 'to bear the titles they had borne before mediatisation, with omission only of all dignities and predicates expressive of their former relation to the Empire, or to their position as former sovereigns of the land.' Yet the head of one of these families is allowed to be called 'the reigning prince,' and to use the *pluralis majestaticus*. By decree of the German Confederation, August 18, 1825, and March 12, 1829, confirmed June 12, 1845, the mediatised princes and dukes are to be addressed as 'durchlaucht' (your serene highness), and the mediatised counts as 'erlaucht' (your highness).

6. They might be attended by a body-guard of not exceeding thirty men.

The mediatised princes lost all sources of revenue which were derived from sovereignty, but retained all that were derived from property.

Since 1806 the mediatised princes, called in German Standesherren, enjoy the greatest privileges in Prussia. In the Prussian monarchy there are seventeen; they sit in the Chamber of Lords. In Silesia, Saxony, and the Lausitz, there are twenty-eight more 'Standesherren,' of which the most illustrious is the House of Stolberg.[1] There are other princely and countly families in Prussia, but as they were not independent (*unmittelbar*) before the Rheinbund Act, they cannot intermarry with royal families, or even with the families of the mediatised nobles. Such are the princely houses of Blücher of Wahlstadt, Hatzfeld-Trachenberg, Hatzfeld-Wildenberg, Lichnowsky, Lynar, Pless, Putbus-Wrede. Absurd as it

[1] Aremberg-Croy, Rheina-Wolbeck, Bentheim-Rheda, Bentheim-Bentheim, Salm-Horstmar, Salm-Salm, Sayn-Wittgenstein-Berleburg, Sayn-Wittgenstein-Hohenstein, Solms-Braunfels, Solms-Hohensolms, Wrede, Thurn und Taxis, Walmoden-Gimborn, the barons of Boyneburg, Grote, von Stein, the counts of Isenburg-Philippseich, Isenburg-Büdingen, Erbach-Fürstenau, Erbach-Erbach, Erbach-Schönberg, &c.

may seem, it is yet true, no doubt, that a prince of Salm can only marry a princess Blücher morganatically.

In the Austrian monarchy are many houses formerly 'immediate,' but whose estates there were never 'immediate.' That is to say, houses which were immediate—say in Swabia—had lands over which they had no sovereign jurisdiction in Austria. Their lands out of Austria they have perhaps lost or sold, but they remain sovereign houses mediatised, retaining only estates over which they never had independent authority. In 1825 the Emperor of Austria followed the example of the Rheinbund, and mediatised all these, giving them the predicate of 'durchlaucht' (serene highness), and 'durchlaucht hochgeborner Fürst (serene highborn prince). Of these there are forty-seven.[1] In Bavaria, by decree of December 31, 1806, the mediatised princes, counts, and barons were deprived of all independent jurisdiction, but were given many great privileges and a seat in the first house. By decree of 1817, the ducal house of Leuchtenberg has precedence over all the other 'Standesherren,' numbering in all twenty-three.[2]

In Würtemberg there are thirty-five 'Standesherren;' their position was secured by royal proclamation December 8, 1821. Of these thirty-four sit in the House of Peers.[3] The Prince of Metternich, who used to be peer

[1] Fourteen (Auersperg, Colloredo-Mansfeld, Diedrichstein, Esterhazy, Kaunitz, Rietberg, Klevenhüller, Lobkowitz, Metternich, Rosenberg, Schwarzenberg, Schönborn, Starkemberg, Trautmannsdorf, and Windischgrätz) are in the Austrian monarchy, thirty-three are outside of it.

[2] Esterhazy of Galentha, Fugger-Babenhausen, Fugger-Glött, Fugger-Kirchheim, Fugger-Neuendorf, Fugger-Kirchberg, Hohenlohe-Schillingsfürst, Leiningen, Löwenstein-Freudenberg in both branches, Löwenstein-Rosenberg, Dettingen-Dettingen, Dettingen-Wallerstein, Schwarzenberg, Thurn u. Taxis, Castell in two branches, Erbach, Giech, Orttenburg, Rechteren-Limpurg, Schönborn-Wiesentheid, and Stadion.

[3] Dietrichstein, Fürstenberg, Hohenlohe-Bartenstein-Jaxtberg, Ho-

in Würtemberg for the principalities of Ochsenhausen and Winneburg, sold them to the Crown, and thus ceased to have a seat on the bench.

In Hanover there are three peers,[1] in Baden eight,[2] in Kur-Hesse are four,[3] in the Grand Duchy nineteen;[4] in Nassau are five,[5] in Oldenburg only the Count of Bentinck.

A good number of the German princes, reigning and mediatised, derive from the old feudal vassals of the Crown. The Grand Duke of Baden, for instance, descends from the Counts of Zähringen and Ortenau, and they are clearly traceable to a count placed over the Breisgau, a 'ministerialis' of the Emperor—an ennobled charcoal-burner, according to tradition. So also the Princes of

henlohe-Waldenburg-Schillingsfürst, Hohenlohe-Oehringen, Hohenlohe-Kirchberg, Hohenlohe-Bartenstein, Hohenlohe-Langenburg, Löwenstein-Wertheim-Freudenburg, with its two branches, Löwenstein-Wertheim-Rosenberg, Oettingen-Oettingen, Oettingen-Wallerstein, Salm-Reifferscheidt-Krautheim, Schwarzenberg, Solms-Braunfels, Thurn u. Taxis, Waldburg-Waldsee, Waldburg-Trauchburg, Waldburg-Wurzach, Windischgrätz, Erdödy, Isenburg-Meerholz, Königsegg-Aulendorf, Limburg, Quadt, Rechberg u. Rothenlöwen, Roth-Wartenberg, Schäsberg, Stadion, Sternberg, Törring u. Tengling, Waldbott-Bassenheim, and Waldeck.

[1] Aremberg, Bentheim-Bentheim, Rheina-Wolbeck.

[2] Fürstenberg, Leiningen-Hardenburg-Dachsburg, Leiningen-Billigheim, Leiningen-Nundenan, von und zu der Leyen, Löwenstein-Wertheim-Freudenberg, Löwenstein-Wertheim, Rosenberg, Salm, Krautheim.

[3] Isenburg-Birstein, Isenburg-Büdingen in Wächtersbach, Isenburg-Büdingen in Meerholz, Solms-Rödelheim.

[4] Isenburg-Birstein, Löwenstein-Rosenberg, Solms-Braunfels, Solms-Lich u. Hohensolms, Solms-Rödelheim, Solms-Laubach, Solms-Wildenfels, Erbach-Erbach, Erbach-Schönberg, Erbach-Fürstenau, Isenburg-Büdingen, Isenburg-Büdingen in Meerholz, Isenburg-Büdingen in Wächtersbach, Alt-Leiningen-Westerburg, Schönborn, Stolberg-Wernigerode, Stolberg-Rossla, the Baron von Riedseck, and the Count of Görz.

[5] Holzappel and Schaumburg, von der Leyen, Wied, Waldbott, Bassenheim, Neu-Leiningen-Westerburg.

Anhalt derived from a gau-graf of Northern Swabia, and the King of Prussia from a burgrave of Nürnberg, invested with the feof by Henry VI. Others represent old princely families with sovereign blood in their veins. The Erbachs claim descent from Emma, daughter of Charlemagne. Unfortunately for the claim, it is pretty clearly demonstrable that Charlemagne had no daughter named Emma.

Some again present princely houses represent very ancient families regarded as noble from a remote antiquity—as the Fürstenbergs, Dettingens, Hohenlohes, Solms, and Leiningens. Others are of mere bürger origin, as the Fuggers, weavers of Augsburg, and the Waldbotts, merchants of Bremen. Others, again, spring from alliances of princes with mistresses. Such is the family of Platen. Clara Elizabeth of Meissenbach married Baron Franz von Platen. She became the mistress of the first Elector of Hanover, the father of George I. The husband, for accommodating the Elector with his wife, was created a Count of the Empire, and the post-office was made hereditary in the family. The son of Countess Platen—whether the Elector or the Count was the father nobody knows—married a daughter of General von Uffeln; and she became a mistress of George I., but was deposed for the sister of Count Platen, married to Baron von Kielmannsegge, created by the king Countess of Arlington. The mediatised Counts of Wallmoden had a similar, and not more savoury, origin for their 'immediateness.'

After the Thirty Years' war, Austria created the postmaster family of Thurn und Taxis princely and immediate. The old Duchess of Orleans, a princess palatine by birth, wrote: 'A prince of Taxis! This is a wonderful princedom indeed! If you want a pack of princes of this sort,

you can create them by the dozen.' In 1708 she wrote about the newly-created Free-imperial-counts of Wurmbrand: 'Of the county of Wurmbrand I never heard in all my life; it must be something newly cooked, or Austrian.' It is not to be wondered at that numbers of ancient families, as the Guelfs, Wettiners, and Holsteiners, should feel indignant to have to rank among such, and to give these newly-fledged princes a seat beside them in the Diet. If the Protestant princes did not remonstrate at this privilege being freely given as a reward for conversion, it was only because they wanted the same favour awarded them for their sons by mistresses, or by morganatic wives. When the Emperor offered the title of prince to Count Anthony Günther of Oldenburg, of the illustrious House of Holstein, 'No, thank you,' he said; 'I had rather enter at the head of the counts than bring up the tail of the princes.' With an outburst of rage and contempt, a Count of Orange-Nassau flung behind him one of the newly-cooked princes who was entering the council-chamber of the Emperor before him, bitterly exclaiming, 'Apprenez, monsieur, que des princes comme vous marchent après des comtes comme nous.'

The recruiting of the 'immediate' nobility went on with great activity during the 320 years since the first patent was given to the Croys, in 1486, to the year 1804, when the Trautmannsdorfs closed the series. In that period twenty-nine diplomas have been issued creating Princes of the Empire, and twenty three making Counts of the Empire, all 'immediate.' The venerable houses of Stolberg in Prussia, and Castell and Ortenburg in Bavaria, are the only three among the mediatised which do not owe their origin to Austria. Isenburg, Leiningen, Solms, and Wittgenstein were indeed old Counts of the Empire before the introduction of patents, but they were made

princely by Austria in 1743, 1779, 1742, and 1792 respectively. For a long time the Herren von or zu der Lippe refused to be ennobled by patent. Their nobility dated from the remotest antiquity, and they exercised jurisdiction over their retainers and vassals under feof to the see of Paderborn and the house of Hesse-Cassel. At the Reformation they took the title of count, but it was not till 1789 that the Count of Lippe-Detmold condescended to accept a diploma from Joseph II. creating him a prince.

Notwithstanding the dying out of many hundreds of illustrious immediate, princely, and countly houses, the Austrian factory had worked so vigorously that, at the breaking out of the Revolution, there were 300 free imperial princes and counts, and several thousand immediate barons and knights, who did not indeed enjoy a seat on the bench of princes, but exercised almost absolute sovereignty in their petty estates. Of these there were all degrees, from the powerful Elector-Kings of Brandenburg-Prussia and Hanover-England to the tiniest counts and barons and knights lording it over their little patches of land and handfuls of bauers. The sovereign Count of Leinburg-Styrum-Wilhelmsdorf, in Franconia, had a standing army of hussars, consisting of a colonel, nine lower officers, and *two* privates. He published, however, his 'Court Gazette,' and instituted an order in his diminutive realm. Baron Grote, in the Harz, reigned over one farm; and when Frederic the Great came there, he met him with a fraternal embrace, saying, 'Voilà deux souverains qui se rencontrent.'

At the present day the sovereign principality of Liechtenstein consists of a village or two, some Alpine pastures, and scattered farms. The diminutive capital contains 1,000 inhabitants. The principality under the

Bund furnished a contingent of 55 men. The government is monarchical, but has been constitutional since 1818; there is only one chamber of representatives. The still smaller county of Bentheim has been virtually absorbed into Prussia, and as a recompense for resigning his sovereignty the head of the house has been given the title of Prince (Fürst) instead of that of Count.

The Rheinbund reduced the list of three hundred sovereigns to about thirty; the spiritual princes had disappeared wholly. But the Baron von der Leyen was made a prince by the Bund, and in 1837 the house of Bentheim was accorded the same honour by Prussia.

The word 'Adel,' which we translate *noble*, has in German a signification more extended. There are the 'hoher Adel' and the 'nieder Adel.' To the former category belong all those families which are princely, and can mate only among themselves or into the foreign sovereign houses—the families which, as von Stein coarsely said, will serve as a stud for Russia, and not for Russia only. To the latter category belong all counts, barons, and 'vons'—all, that is, who have a right to bear a coat-of-arms, and are reckoned in England as gentlemen by birth. There are, however, princes who hover in an ambiguous position between these classes, princes to whom the predicate of durchlaucht ('your serene highness') is accorded, but who are not regarded as 'ebenbürtig' with other serene highnesses, or even with countly highnesses. For instance, the countly houses of Isenburg-Philippseich, of Isenburg-Büdingen, and of Erbach, belong to the very highest stratum of the German aristocracy, ranking at court among sovereign princes; but the princely houses of Blücher, Hatzfeldt, Lichnowsky, Lynar, Pless, Putbus, and Wrede do not, in this respect. A Prince Bismarck, for instance, could not marry into a family of a mediatised

baron. The Bismarcks, though made princely, are not made 'ebenbürtig' with the families to whom the privilege of mating with royalty was accorded by Act of June 8, 1815.

If any member of one of the reigning or mediatised families contracts a marriage with a person below his rank, the marriage is entitled morganatic. It is performed in church by priest or pastor, but the sons are mules; they neither inherit the rank or reversion of estates of the family, nor can they continue the pedigree. The morganatic wife is no wife in the eye of the law, because not acknowledged by the family; and the families of the upper nobility are allowed to make rules among themselves barring or licensing marriages. Of this more in another chapter. The union with the morganatic wife, be it remembered, has been blessed by the Church, and sealed with solemn vows of mutual fidelity before God, publicly taken. The 'unebenbürtige' wife who gives her hand to a prince does so trusting not to the law, but to his honour as a gentleman and to his oath as a Christian, and the prince who takes advantage of his legal privilege to throw her aside when a more profitable match presents, forfeits his rights to be regarded as one or the other.

I know the case of a prince, the member of one of the first mediatised families in Germany, who in an access of youthful ardour married an actress. He sacrificed for her his title and every office about court. She was his wife before God, their union had been blessed by the Catholic Church, and he would not appear among his class without her at his side. They live together now as Herr and Frau von X——. Her charms have withered, and she has sunk into exacting and querulous middle age. But he stands loyally by her, enduring all her humours, political life

closed to him, association with his equals barred, but without a thought of casting her aside to emancipate himself from the false position in which he has placed himself. *O si sic omnes!*

A member of the German high nobility towers, in his own opinion and in German law, above our most ancient coronetted families—and by what right? By decree of the Rheinbund! A Howard, a Percy, a Neville, is not fit to mate with a Fugger, a Waldbott, or a Platen.

The instance of the Fuggers is crucial.

A weaver of Graben, near Augsburg, in the fifteenth century was the founder of this family. A son was made a gentleman by Frederic III. in 1452, but this branch died out in 1583. The second son, Jacob Fugger, left seven sons, whom Maximilian I. ennobled. The Emperor pawned to the Fuggers the county of Kirchberg and the lordship of Weissenhorn for 70,000 florins. As the money was not forthcoming to redeem the estates, Charles V. created the brothers Anthony and Raimund counts, and made the lands over to them for ever. Though Counts of the Empire, the Fuggers stuck to the shop, and continued their looms. One branch of the family was made 'immediate' by Francis II. in 1803, but it was mediatised in 1805; thus, it enjoyed its immunity for *two* years, and in virtue thereof a Prince of Fugger-Wellerstein, a descendant of the old Augsburg weaver, would scorn to marry into any English family except the royal family. One of our ducal houses could only furnish him with a morganatic mate. Since the Rheinbund, other houses have been mediatised. Hohenzollern-Hechingen, and Hohenzollern-Sigmaringen went in 1849, Saxe-Gotha, Anhalt-Köthen, Anhalt-Bernburg, Hesse-Homburg, Hesse-Cassel, Hanover, Nassau, are gone either into limbo or among the mediatised. Reuss-Lobenstein, Isenburg and

Leyen, have also had to shuffle off their mortal coil of 'unmittelbarkeit.' Others must follow in good time. A few have sought to buy prolongation of life by marrying Prussian princesses, or protection by union with daughters of the Czar. But their time will come; Prussia is prepared to address them in the words of Lady Macbeth:

> Stand not upon the order of your going,
> But go at once.

## CHAPTER II.

### THE LOWER NOBILITY.

*Malcolm.* Dispute it like a man.
*Macduff.* I shall do so;
But I must also feel it as a man:
I cannot but remember such things were,
That were most precious to me.
*Macbeth*, act. iv. sc. 3.

No 'Adel' without an allodial estate, was a maxim of early German law. The son of an 'edeler Herr' who did not inherit, relapsed into simple freeman. The Edelmann living on his estate held of his ancestors, and not by feof of crown or great vassal, was a Freiherr, a lord of the manor, or baron. Menzel has happily said that in the early Middle Ages all the barons were bauers and all bauers barons. It was a favourite saying, 'A nobleman is at the plough in the morning, and at tourney in the afternoon. A son of Albert of Austria praised an old peasant once for his good plough, strapping son, and sturdy horses. Next day he was much surprised to see the old man arrive at court at the head of his armed retainers, and to learn that he was the Baron of Hegenau. Scott's Arnold Biederman is not a fancy picture. There were thousands of such rustic nobles scattered over the country. Too often they combined taking of tolls with tillage.

The present princely family of Salm derives from a knightly house on the Rhine, which made its wealth by

exacting of every ship that passed Bingen a pound of pepper. In Altenburg, near Reutlingen, as late as the sixteenth century, lived nobles who on Sunday swaggered to church in scarlet mantles, and on week-days divided their time between ploughing their fields and taking purses on the highway.

Of landed property there were three sorts: the crown lands, given in feof to the great vassals, and the free land, private property, *allodium nobile*, held by the baron, and *allodium villanum*, held by a bauer, a freeman, but one who, on account of the smallness of his estate, could not exercise magisterial rights over it. The representatives of these two classes in England are the squires and the yeomen. Of these, the former were alone ritterbürtig, *i.e.* capable of being knighted, and bearing coats-of-arms. They are entitled in mediæval Latin 'mediocriter nobiles.' Among the lower nobility the law of 'ebenbürtigkeit' applied only to marriages with serfs. Marriages with free persons, the daughters of farmers and of citizens, was allowed. Thus, in the story of the 'Poor Henry,' which Longfellow has adopted for the groundwork of his 'Golden Legend,' the knight marries the miller's daughter, who was ready to sacrifice her life to cure him of his disease. Such an union was unusual, but not illegal. So also the country nobles married rich citizens' daughters, to recruit their dilapidated fortunes. It was not till the fifteenth century that this was deprecated. At a tournament at Onolzbach in 1485 it was decided that a nobleman who had married a bürger's daughter was not to be allowed to enter the lists against other gentlemen, *unless* she had brought with her a dower of 4,000 florins.

Marriage out of their rank did not debar the sons from inheriting the name, title, and estate of the father, but after the fifteenth century it did bar their way to the

enjoyment of certain privileges. There were offices about the court of the prince which they were not allowed to fill; they could not take the seats occupied by their fathers in the provincial diets. Ecclesiastical benefices, chapters, and certain abbeys were closed to nobles who could not prove purity of blood through eight or sixteen descents on both sides. And in German heraldry a *mésalliance* effaces every quartering on a shield, and leaves the noble who has contracted it with, indeed, his family coat, but with a cancelled past, to start a new family, and be the root of a new genealogical tree. In the play of 'Pfeffer Rosel,' the Baron of Sonnenberg marries a market-girl. The Emperor bids six ladies of his court lay their hands on her head, and he ennobles an ancestor of the gingerbread-seller with each hand that reposes on her, so as to save the escutcheon and the pedigree of the Sonnenbergs. The ennobling of ancestors long gathered to the dust was done not infrequently to assure the benefits of his rank to their descendant. The Chinese system is the reverse of the German. In the Celestial Empire the exaltation of a man to be a mandarin, mandarinises—excuse the expression—all his forefathers.

By the fifteenth century many of the barons had called themselves counts. They had assumed the title without having any of the requisites of a count. They were not vassals holding feofs from the crown. But the original countly families had broken into so many branches—each branch and subramification had carried with it the title—that the old Freiherren thought they might as well bear it also. But there were also a great many landed gentry who contented themselves with the title of 'edler Herr von'—like the Scottish 'laird.' A few, a very few, old families remain on their ancestral estates, untitled. Such is the family of Gänz von Pudlitz,

to this day proudly declining coronets, whether offered by Emperors or Grand Dukes. The head of the house is simply designated Der edeler Herr von Pudlitz, and the brothers are content with the modest prefix of 'von.' Yet the family can show an unbroken pedigree from the sixth century.

The nobility enjoyed several privileges at the close of the Middle Ages, and till the French Revolution.

1. They held an hereditary magistracy in their estates. This was much as if every county squire was *ex officio* justice of peace.

2. They sat on the upper bench in the provincial assemblies.

3. They had the right of settling tradesmen on their estates—a valuable privilege, as it checked the monopoly of the guilds.

4. They were exempt from having soldiers quartered on them.

5. They were exempt from paying taxes.

6. They were exempt from judicial mutilation, and insulting punishments.

With the break-up of the Empire many privileges were given up or abolished. The right of exemption from having soldiers quartered on them was the first to go. In the Thirty Years' war neither Swedes nor Imperialists were likely to respect such a privilege, when the house of the gentleman offered the most comfortable quarters.

The next to go was exemption from taxation. At first, the nobility sought to save the principle by granting subsidies; but this did not last long: the free contributions expected of them were found to exceed the sum that could be exacted by taxation, and in their own interest they yielded.

A favourite print in village inns represents the bauer and the parasites who prey on him arranged on a scale. The Emperor stands on one step with the motto, 'I live on the taxes.' The soldier on another stage boasts, 'I pay for nothing.' The pastor on his platform says, 'I am supported by the tithe.' The beggar whines, 'I live on what is given me.' The nobleman airily says, 'I pay no taxes;' and the Jew mutters, 'I bleed them all.' Beneath the whole crew stands the bauer with bent back, exclaiming, 'Dear God, help me! I have to maintain all these.' The burdens remain to this day unrelieved, rather made more onerous; but the Beamter, the government official, has taken the place of the Edelmann. There was a reason for the exemption of the nobleman from taxation. He paid with his blood. The gentleman was the soldier of the Empire. His profession was arms. The battlefield consumed his sons. The farmer tilled and reaped, and paid tax to be allowed to carry on his agricultural round without molestation, without having to buckle on the sword and grasp the spear, when he ought to be sowing or reaping. But when the military system ceased to be feudal, this reason for exemption ceased also; and when it ceased it was abandoned. With the surrender of exemption from taxation, and from being quartered upon, the special privileges distinguishing the gentry from ordinary freemen were gone. Those that remained were unimportant. The nobleman might, indeed, claim a right to sit on a chair when had up before a court of justice, and to be cited by written summons, not by word of mouth; to be married in his castle instead of in the parish church, and to put a lock on his pew; but these were privileges rapidly becoming antiquated, little valued, and ready to disappear; or were shared with wealthy citizens; and were a grievance to nobody.

It was otherwise with the rights claimed by the nobility and gentry as landed proprietors.

The English system of letting farms for a term of years at a fixed annual rent—a system which dates back to the reign of Edward III.—was unknown in Germany. So also was the Italian system of farming estates, the tenant sharing the profits equally with the landlord. Money was scarce in Germany, and what money there was had a limited circulation; for every free city, sovereign, count, and margrave coined; and these several coinages lost value beyond the district.

The German system was essentially feudal. The nobility were so constantly engaged in war that they could not attend to their land; they therefore gave it to villein or freeborn farmers on 'lehn'—in feof. A large tract of crown land, for instance, was given by the Emperor in feof to a count. The graf did homage for the 'lehn' on bended knee, when invested with it. He was thenceforth bound to supply the Emperor from it with a certain number of fighting men. The count appointed stewards (*vögte*) over the land; they built themselves castles, and supplied their lord with men and money. Their offices became hereditary in their families. The Castle of Staufen belonged to the Dukes of Zähringen, but it was inhabited from generation to generation by stewards who called themselves lords of Staufen. It was of one of these von Staufen that the story was told which forms the basis of Fouqué's 'Undine.' The farms were given by these stewards to peasants in feof, and the bauers undertook to supply their lords with so many sacks of corn, so many pecks of malt, so many horses, oxen, geese, and eggs in the year. The farm once given was very generally given for ever; it became an heritable tenure, just as the tenure of the vogt and that of the graf had become heredi-

tary. The castle and barony of Wildenstein was a feudal tenure in male line belonging to the Palatinate of the Rhine. In the beginning of the fifteenth century it was given in feof to Baron John von Zimmern, in this curious fashion, that he should share the castle with another feudal tenant, the knight John Conrad von Bodmann, divide the farms and villages, and on the death of the knight buy right of succession of his heirs for 600 florins. The Baron von Zimmern was a wag and fond of a rough broad joke. On his entering into possession, the bauers of Wittershausen thought to ingratiate themselves with him by ministering to his sense of fun. When he came to visit their village and fix their annual payment, they assembled on the greensward beside the road, and lying in a circle entangled their legs together, and when he rode up, he found a ring of wriggling peasants with their nether limbs in a knot seemingly inextricable. After having laughed at the comical sight, he asked the occasion of it, when the bauers cried out that they had gone to sleep after their noon meal, and their legs had got entangled, and that now none of them knew his own limbs from those of his neighbour.

'I will restore his proper legs to each man,' said the Baron jumping off his horse, and with his whip he laid about the shoulders of each bauer, who speedily loosed himself from the tangle, and skipped out of reach of the lash.

'And now, for having found you your legs again,' said Baron John von Zimmern, 'I lay on you the charge of a sack of corn, paid annually to Wildenstein.'

After harvest his steward went to Wittershausen with a huge sack, which when full of wheat would load a cart. The peasants were aghast, but had to pay, as no stipulation had been made as to the size of the sack. But they

had their revenge. The bauers had a 'servitude' on the forest, *i.e.* a right of cutting down trees for building purposes, and a right to clear away sufficient wood to make a way for the conveyance of the timber to their village. They accordingly went into the forest, and selected a tree peculiarly tall, at the extreme further end of the forest, cut it down, laid it *across* a cart, and then hacked down trees right and left, making a broad avenue clean through the woodland up to their village. This brought the baron to terms. He reduced the size of the sack of corn, and they propitiated him by making over to him the church-rate.

In the Middle Ages the strongest ecclesiastical laws were decreed against the taking of rent in money for land; it was regarded as a form of usury, and was forbidden under penalty of excommunication. These laws were evaded by the landlords letting their farms for real payment, *i.e.* for frohn (*corvée*) and payment in *naturalia*. Even at the beginning of the present century it was very common in Germany for the peasants to let bits of ground for building purposes or for garden, not for a sum of money, or annual rent, but on condition that the tenant should give his work for a day or two in the month, and for three or four days at harvest time. During the Middle Ages many freemen farming their own land found it advisable to surrender their estates to the barons, and receive them back again in feof, to secure themselves from molestation by powerful neighbours, and to relieve themselves from the irksomeness of being personally called to arms. Thus nearly all land ceased to be allodial, and was held in feof. Payment was almost always made in kind, and this system proved vexatious. Instead of the farmer paying a half-yearly rent, the steward of the land visited the bauer at irregular intervals, and carried off a tithe of flax, or hemp,

or corn, or cattle, as it was needed at the moment by the lord. The steward was not always just in his estimate of the amount to be taken, and he was sometimes oblivious of the fact that he was repeating these requisitions. Caleb Balderstone's raid in search of provisions for the guests at Ravenswood was what took place frequently in every barony of Germany. But if rent in money was not allowed, taxes were permitted, and every horse, and calf, and goose, indeed every stove, was taxed. An old steward, who can remember these payments before they were commuted, says that a farm worth, if sold, 200*l.*, was charged with six or ten such payments—the hearth shilling, the smoke-tax, the Shrove Tuesday eggs, the Walpurgis tax, Michaelmas tax, a pfennig for a goose, nine pfennigs for every calf, &c. But, he adds, when all were collected, the total amount was only four shillings.[1]

The grievance lay, not in the heaviness of the charges, but in their vexatiousness. What was far more grievous than the tithe or tax, was the frohn (*corvée*), the right of the landlord to exact work from the peasant on so many days in the week, and to requisition his carts and horses. The word 'frohn' is derived from the Old German *frô*, a lord, and means work done for the lord of the manor. 'Handfrohn' consisted in service on the home farm, an estate surrounding the castle or manor-house (*meierhof*), for immediate requirements; this was cultivated entirely by unpaid labourers, working sometimes three days a week, in return for a more or less extended farm which they enjoyed free of rent in money. The lord had also right to employ a bauer's son or servant as a messenger, or to call him to assist in beating the woods for a chase. It was the 'frohn' which was the immediate cause of the outbreak of the Peasants' War. The Countess of Lupfen had eagerly

[1] Dr. Laurenz Fischer: *Der Teutsche Adel.* Frankf. 1852.

embraced the tenets of the Reformation. She thereupon suppressed the festivals of the peasants as papistical and superstitious, and she ordered her peasants to go on Sundays gathering strawberries for her dinner-table, and snail-shells for the making of ornamental pincushions. This circumstance, so trifling in appearance, became the occasion of a general conflagration. Hitherto no 'frohn' had been exacted on a festival; on Sunday the bauer had been a freeman. The snail-shells were the limit of his obedience. On the day of strawberries and snail-shells the peasants of Stühlingen, Bondorf, and Ewatingen assembled to the number of six hundred, and announced to the count and countess that they were freemen, and would pay no more frohn and tax. This was on August 24, 1524. In a fortnight the six hundred had swelled to four thousand. Before the end of the year nearly every castle in the Schwarzwald was in flames.

In the towns, as in the country, the classes were originally divided into patricians, freemen, and not-freemen. The patricians were the nobility or gentry of the towns, owners of land in and outside of the walls, those who lived not necessarily on trade, but on their estates, and who formed the governing body of the town. They were originally all of gentle blood; but in time the masters of the trades succeeded in working their way into the council, and then bought their gentility of the Emperor. Thus it came about that many patrician families were also engaged in trade. Fugger, the weaver of Augsburg, though raised by Charles V. to be a count, did not think it necessary to abandon his looms. When asked to choose his arms, he humbly elected lilies, for '*they* toil not, neither do they spin,' and he hoped they would ever remind his descendants of the humble origin of the house. Roth of Ulm was a sugar-refiner, with factories in Italy and Spain.

The Croarias and Holbeins of Ravensburg in the fourteenth century had paper-mills. An ox's head is the water-mark by which paper can be recognised that issued from the factory of the Holbeins. The Welsers of Augsburg were great merchants; they bought Venezuela, and Charles V. gave them a patent to allow them to continue their business without derogation to their gentility. The Ayrers of Heilbronn were dealers in saffron, the Weichsers of Schaffhausen, who fought as knights at Sempach, were money-changers. The Behm family of Augsburg were tile-burners.

But perhaps the most curious instance of the mediæval view of trade not being dishonouring to a noble is seen in the history of Ludwig the Saint, Landgrave of Thuringia, who entered into a partnership with a pedlar, and was able to clothe his court with his annual profits. When the chapman's ass was stolen by some of the vassals of the Bishop of Würzburg, he made war upon the bishop, and harried his land till the pedlar's ass was restored. From the fifteenth century, however, the landed nobility began to look down on the patricians, as a pack of grocers and weavers who had no right to be reckoned as of gentle birth; and they refused to admit them to tournaments. In Augsburg and Basel, in 1474, the chapters of the cathedrals, filled with younger sons of noble families living on their country estates, by statute excluded a citizen from ever enjoying a prebendal stall in their highly aristocratic bodies. In former times members of patrician families had been Grand Masters of the Knightly Orders; now they were excluded.[1]

For a long time the patricians monopolised the government of the towns; but the trade-guilds formed

[1] The first Grand Master of the German Order was a Waldbot, the second a Carpen, both citizens (patricians) of Bremen.

a powerful organisation against them, and forced their way into the Rath. A curious instance may be given from the history of Strassburg. There two rival families, the Zorns and the Mülnheimers, were the most powerful in the city, and were mutually jealous. In 1321 Claus Zorn complained in the town-council that the Rathhaus was much nearer the tavern frequented by the Mülnheimers than that where the Zorns drank their beer. The consequence was, that when a motion was put to the vote, the whipper-in of the Mülnheimers could call up his party, and carry it or throw it out, before the Zorns arrived on the spot; therefore Claus proposed that a new town-hall should be built exactly halfway between the rival taverns, and his proposal was actually carried and acted upon.

The quarrel between the two families burst out in full explosion in 1332. There was a garden outside the walls of Strassburg where the gentlefolks met to eat sausages, drink lager beer, and dance or fight. In the year mentioned, eating, drinking, and dancing one hot day led to a grand battle, in which two of the Mülnheim faction were killed, and seven of that of the Zorns. The Landvogt arrived on the scene, and endeavoured to put an end to the strife, but failed. Numerous nobles of the neighbourhood flocked in, and threw themselves into the *mêlée*. The fight waxed more furious, and the chief magistrates were powerless to arrest it. Then the guilds met, entered the Rathhaus, took the banner, keys, and seal of the city, by acclamation altered the constitution of the council, which had before been filled exclusively by members of the ecclesiastical corporation and twenty-four patricians, and then, with an armed band of apprentices, put down the riot. They went further, and demolished the drinking-places of the rival factions, and laid waste the pleasure-gardens where they had danced and quarrelled. The

town-council was variously constituted after that, according as the guilds or the patricians got the upper hand; but on the occasion mentioned the former first succeeded in entering and breaking up the close corporation of the Stadtrath.

In the fourteenth century the Emperors began to create nobles by patents, for the same consideration that made James I. create baronets.

Dat census honores,
Census amicitias; pauper ubique jacet.

The Emperor Wenceslas the Fool ennobled all kind of rabble. Sigismund sold titles. Under his successor Ferdinand a chimney-sweep was created a baron. It was the age of the Briefadel. Patrician families like those of Ebner, Kress, Haller, Behaim, Holzschuher, Roth, &c., some by patent, some without, adopted the predicate 'von,' under the impression that this particle betokened gentility; and they blossomed into Ebner von Eschenbach, Kress von Kressenstein, Haller von Hallerstein, Behaim von Schwarzbach, Holzschuher von Aspach, Roth von Schreckenstein, after estates they had inherited or purchased. Others prefixed the 'von' to their family names, whether appropriately or not, as 'von Weber,' 'von Denzlinger;' which are as absurd as 'of Weaver' and 'of Londoner.' Many bought or were granted baronial titles, and assumed the pearl coronet of a Freiherr, who had never actually held a freehold. Members of trade-guilds who had found their way into the council of their town received patents of gentility; they might put a 'von' before their names, and adopt a coronet of three strawberry-leaves and two pearls.

The grant of arms and the prefix of 'von' in Germany was and is precisely like the grant of arms made in England

by the College of Heralds, which is also costly. But in England now any one adopts arms, and tails his name with esquire, whether he have a right or not to these distinctions. In Germany a man can scarcely paint a coat on his carriage and put a 'von' before his name, unless he has an hereditary or acquired right to both. The ordinary gentleman, untitled, uses a coronet—by what right is perhaps more easily asked than answered—which is the same as that we attribute to a marquis, *i.e.* three strawberry-leaves and two pearls. The coronet of a Margraf in Germany has three strawberry-leaves and *six* pearls. The princes alone can raise a bürger out of his class and make a gentleman of him. They very often confer gentility for life, so that the person ennobled bears the 'von' before his name, but his sons do not. A bürger blossoms into Herr von Sauerkraut, but his sons fall back into Sauerkraut and bürgerthum again.[1]

The old Freiherren were the ancient landed gentry—in Swabia and Franconia obtaining independence over their estates, like little princes. In 1791 the Margravate of Anspach-Baireuth fell to Prussia through the surrender of the last Margrave, Karl Friedrich, who married Lady Craven, after she had lived with him as his mistress for some years. The two principalities were given a new constitution, and the liberties of the free knights in them were curtailed. Three independent barons were obliged to surrender their sovereignty over their little domains. The only opposition encountered was in the cantons of Altmühl and Gebirg. Portions of Franconia and Swabia fell to Bavaria, portions swarming with these 'immediate' families. Their independence was summarily

[1] Sometimes, if they maintain their father's position, they are allowed in courtesy to retain the 'von;' but they have no legal right to it.

abolished. Those in the Rhenish provinces were extinguished by Napoleon in 1805.

Since the surrender of the Imperial crown by Francis II. there have been no fresh creations of Freiherren. Publishers, as Tauchnitz, chemists, as Liebig, tailors, as Stulz, have been made barons; but a modern baron is not the equivalent of an ancient Freiherr. A baron created by a Grand-Duke since the dissolution of the Empire, has a right to bear a seven-pearled coronet, but the new-baked noble cannot take his place in the close aristocratic society of the town he inhabits. The baron hovers in *gauche* discomfort between the bürger and the adel; he is the bat of society, neither altogether bird nor beast, and not an inviting specimen of either. In the theatre he takes a *loge* in the first circle, instead of in the bürger range of boxes, but he sits there uneasily; he has lost his old companions, and his new give him the cold shoulder. Princes, like the Almighty, love to create out of nothing; but their creations, unlike His, are not always 'very good.' The German baron newly made stands on the same level as the English knight. He is perhaps a gentleman by birth, he is more probably a successful grocer or corn-factor.[1]

During the Middle Ages the landed gentry had been a check upon the princes. The latter could only exercise their sovereignty with consent of the chambers in their provinces in the matter of raising taxes and imposing laws. After the Thirty Years' war, when the French fever set in over Germany, the princes sought not merely to copy French fashions, but also French despotism. The extravagance of their courts made it necessary for them to

[1] I know an old patrician family which has been made baronial by a petty sovereign. It is ashamed to bear its title and coronet, and proudly maintains its simple 'von.'

impose huge burdens on their lands, and such imposition the landed Freiherren opposed. The princes, therefore, set deliberately to work to extirpate them. This they effected by degrees, by involving them in extravagances, making them attend their courts and there dissipate their fortune, and then buying their land. In Oldenburg, at the beginning of the eighteenth century, there were fifty-three noble estates, held by old families of gentle blood, the Westerholz and Mundel, Mausingen and Fichenhold, Knigge, Rhaden, Steding, and others. Nearly all of these have died out or lost their estates. Two that survive, the Wehlaus and Westerloys, have so sunk in the world that they are now represented by farmers, and have abandoned their claim to be regarded as gentry. In Anhalt Dessau, Prince Leopold, who married the apothecary's daughter, bought up all the estates in his land, and those of the nobility who demurred to sell he drove out of the principality, and took their estates from them at a price he fixed. Thus he got rid of the Barons von Grote, the Harslebens, Schillings, Krosigks, and many others. The Prince of Bernburg did the same. He took their lands from the von Geuderns, Erlachs, and Einsiedenlers, &c. The same policy was pursued by the Prince of Köthen. He also was not satisfied till he reigned alone over bauers, with a nobility hanging about his court, and dependent on his bounty as his chief foresters, marshals, chamberlains, &c.

In Schiller's letters we get a picture of the old landed gentry as they were, and as they were being made. On December 8, 1787, he wrote from Schwarzburg-Rudolstadt: 'I have met in this neighbourhood with some interesting families. For instance, in the village of Hochheim is a noble family, consisting of five young ladies—in all, ten persons—living in the old patriarchal way, or reviving old

knightly manners. No one in the family wears anything which is not of home manufacture. Shoes, cloth, silk, all the furniture, all the necessaries of life, and almost all its luxuries, are grown or manufactured on the property, many by the hands of the ladies, as in patriarchal days and in the times of chivalry. The greatest exterior cleanliness and order, and even display and beauty, please the eye; of the ladies, some are young, and all are simple and true, like the nature in which they live. The father is a sturdy, honourable, landed noble, a famous sportsman, and a generous host, and, I must add, an inveterate smoker. Two hours distant, in a village, I have met with a house the reverse of this. There lives the Chamberlain von S——,[1] with his wife and nine children, on an extravagant princely footing. In place of a house they have a castle, in place of society they hold a court, instead of plain dinner a dress dinner in French fashion. The wife is a vaporous, false, intriguing creature, and hideous as falsehood, but all in the best Parisian *ton*. The young lady is very pretty, but the devil rules the mother, and would not let her permit the young girl to travel with us. Herr von S—— is a dignified man of many good and shining qualities, full of entertainment and propriety, but a libertine to the highest degree. He is Charlotte's[2] uncle, and he values her highly.'

The European war was felt severely by the lesser German nobility. Their estates had been burdened by extravagant living, and they were ill-prepared for a season of invasion and its consequent evils. On the Rhine, in Hesse, in Baden, in the Palatinate, the Code Napoléon

[1] Herr von Stein in Völkershausen. Frau v. Stein was the aunt of Charlotte von Kalb.

[2] Charlotte von Kalb, who set her cap at Schiller, and ten years later at Jean Paul Richter.

was introduced, and subdivision of property was made compulsory. In Prussia, before this, Frederick William had done his utmost to break up the properties and destroy the privileges of the aristocracy, and for much the same reasons as other princes, because they interfered with despotic government.

But it was not only where the Code Napoléon was introduced, that lands were divided and subdivided till the owners sank from being nobles to bauers. Such a subdivision had been universal in Germany; fought against, indeed, in Westphalia and Saxony, but prevailing freely elsewhere. Great houses had melted into a hundred little farms. But in the seventeenth century it was fully seen that this equal cutting-up of land was ruinous; and everywhere the gentry were adopting primogeniture or some other system by which properties might be held together. But it was too late. The introduction of the Code Napoléon sealed the fate of the gentry on the Rhine. Elsewhere they were ruined by the events of 1848.

The revolution in that year produced an electrical effect in Germany. On February 27, at a gathering at Mannheim, four demands were made—freedom of the press, trial by jury, national representation, and general conscription. A mass deputation carried these demands on March 1 before the Baden Chamber. A few days later the abolition of the privileges of the aristocracy, and of the remains of feudal obligations, of copyholds and ground-rents, was demanded. Speedily the whole of Germany was in commotion; the bauers joined the revolution started by town republican clubs, with the double object of getting rid of ground-rents and of expelling the Jews from the country. In the National Assembly at Frankfurt a violent attack on the nobility was led by Mohl, Rösler, and Jacob Grimm; and 'the nobility as an order was

abolished' by a majority of fourteen. But whilst the National Assembly was discussing the rights of man, natural equality, and the bases of authority, the princes, who had cowered before the storm, put their heads together and organised opposition. When the deputation of the Assembly came to Cologne to meet the King of Prussia, and lay before him its resolutions, Frederick William curtly told them not to leave out of their calculations the fact that there were princes in Germany, and that he was one of them. A volley dispersed the rioters in Berlin; the bauers grew suspicious of the town rabble, and sided with the sovereign. The revolution came to an end; but it had left its victims, especially in the south. The Grand Dukes, in the agony of their alarm, had flung the gentry to the wolves, and many were reduced to poverty by the loss of their property in land. All rights of 'frohn' were absolutely abolished, without compensation to the lord of the manor; and the State took measures to convert the copyhold land of the bauer into a freehold estate, by making its allodification compulsory should the tenant be able and willing to commute. In Austria all charges on land were abolished by a stroke of the pen on September 2, 1848. In Bavaria the work of allodification was begun by a law passed June 4, 1848; in Würtemberg on April 14, 1848; in Baden on April 10 and July 31, 1848. In Kurhessen all feofs, and ground-rents, and charges on land, together with other manorial rights, were abolished on August 26, 1848, the landlords receiving as indemnity from 3 to 5 per cent. of the value of their estates. This was done in Waldeck, in Sigmaringen, in Saxe-Weimar, and elsewhere. In almost every case all personal services were done away with without compensation. To assist the peasants in converting their farms into freeholds, the Saxon Government established a

fund for the redemption of the land, under Government guarantee. In 1850 a similar bank was established in Prussia. Baden and Hesse followed. The law for the establishment of 'rent banks' provided the machinery for the wholesale redemption of the land. By it the State constituted itself the broker between the peasants by whom the rent was paid and the landlords who had to receive it. The bank established in each district advanced to the latter in rent-debentures, paying 4 per cent. interest, a capital sum equal to twenty years' purchase. The peasant paid into the bank each month a twelfth part of a rent calculated at 5 or 4½ per cent. on this capital sum, according as he elected to free his property from incumbrance in forty-one or fifty-six years, the respective terms within which, at compound interest, the 1 or 1½ per cent., paid in addition to the 4 per cent. interest on the debenture, would extinguish the capital.

As the greatest part of the estates of the gentry had been let, there remained to them now only the home farm and the sum in money they received from the State for their lands which had been let and leased. This money came to them conveniently, at a time when they were for the most part in debt, not having recovered the exhaustive effects produced by the European war. The capital disappeared, and their sons are left with a little patch of land about the ancestral castle, and no funds on which to keep up the stately mansion. The result of the allodification has therefore been to sever the gentry from the soil. They cannot live all the year round in the country; they go for a few weeks in the summer to the schloss, carrying with them sufficient furniture, and there they picnic for a while. They have lost their interest in the peasants, and the peasants in them. They seek situations under Government as judges, or make the army their profession, and

live in offices on their salaries rather than starve in their ancestral halls. The Englishman living in Germany should remember this: the bürger in office everywhere and at all times bears the title of his office. Herr Gerber, when a judge, even in *déshabille*, is Herr Obergerichtsrath; but Herr von Stolzenfels drops the civil designation when he closes the door of the office; he is then von Stolzenfels only, and it is an insult to entitle him Gerichtsrath. In the south of Germany, where the free imperial knights were most numerous and most independent, their descendants are most impoverished and most dependent on State employ. In the north of Germany the Freiherren are still landed gentry, but they have not clung to old acres with the same tenacity as the nobles and squires of England—probably they have not been able to do so. In 1861 there were in all Prussia 12,543 knightly estates—that is, estates belonging to gentle families—but of these only 394 had been in a family over a hundred years. In 1858, in the Prussian House of Lords, there were only 77 landed proprietors holding old family estates, the remaining 89 were life peers.

The Bavarian Constitution requires for the position of a heritable 'Reichsrath' an entailed landed estate paying at least 30*l.* per annum in tax. The Würtemberg Constitution requires that the landed proprietor shall have a net income from his estate of 300*l.* These landed gentry elect a certain number of members to the Upper House as their representatives.

In North Germany the landed gentry suffered by the allodification of their farms, but not to the same extent as those in the south; the process was less rapid, and more moderate. In the north the nobles are not unfrequently manufacturers; dye-works, spinning-mills, distilleries, rise within a few yards of the castle. The reaction after 1848

helped the Prussian nobility to obtain some new privileges. In the autumn of that year an union of nobles and gentry met, calling itself the 'Society for the Protection of Property,' roughly designated by the people as the 'Junkerparlament.' Under the *régime* of Manteuffel, the Junkerthum obtained great influence at court, and in the Upper House opposed all Liberal measures. It was the same in other German States. The House of Lords was established in Prussia, and the small nobility—the true seat of antiquated conservatism—obtained in it a preponderating influence over the greater nobility. It is characteristic that in all the unpopular proceedings of the Upper House, the smaller nobility have led the opposition to the Bills that passed the Lower House, whereas the great nobles voted on the Liberal side. Since the restoration of the German Empire, the nobility and gentry have thrown themselves actively into political life. In 1874, as many as 127 nobles, *i.e.* just 32 per cent of the whole number of members, were elected to the Imperial Parliament. Of these 19 belonged to the Conservative party, 23 to the Independent Conservative, 26 to the National Liberal, 4 to the Fortschritt party, 38 to the Centre, 13 were Poles, and 4 Radicals. Consequently 72 were National and true to the Imperial Constitution, and 51 were hostile to the Imperial policy. Thirty were Liberals, *i.e.* a quarter, or if we reckon in the Liberal Conservatives, 53, or about half. In the Prussian Parliament, Schwerin, Auerswald, Brünneck, Saucken, Vincke, are noble names long known there as resolute combatants for Liberal ideas. In Bavaria, somewhat earlier, the names of Giech, Rotenhahn, and Lerchenfeld were as well known, and more recently that of Hohenlohe.

In Bavaria the noble families are allowed by law to found fresh majorats, *i.e.* fresh families with entailed estates, carrying with them titles and coronets and repre-

sentation in the first chamber. If an aristocracy is to be preserved, this seems the most reasonable manner of letting it develop itself.

If the citizen and the peasant represent man alive to the consciousness that he is a member of a family, the noble represents man awake to the fact of the continuity of family life. The aristocracy is the class invested with historic consciousness. The citizen and bauer do not care a straw who were their grandfathers, and have no thought for their grandchildren. A member of an aristocratic class is full of interest respecting the past of his family, and plants trees, and builds, not for himself, but for a future generation.

In the German courts the nobility not mediatised were treated with sovereign contempt. Frederic, the fat King of Würtemberg, the smallest of kings and the greatest of snobs, did his utmost to drive the few that lingered on in Swabia out of his realm by making residence in it intolerable. He published a decree that no nobleman of his newly manufactured kingdom should be allowed to leave his district for more than a week at a time without leave of the 'bürger' functionaries of the parish. In 1810 the Minister of the Interior, by gracious consent of his Majesty, issued the following licence to a count:—'The Herr Graf is required by his Majesty to spend at least three months in every year at the royal residential city of Stuttgart. With respect to the remaining nine months, should the count desire to reside on his own estates, his Majesty accords his most gracious permission to him to do so. His Majesty begs further to express his gracious hope that his sovereign orders will meet with punctual attention. Should this hope be disappointed, one quarter of the territorial receipts of the Herr Graf will be confiscated to the royal treasury.'

There is something not a little insulting in the way in which the old landed gentry—counts and barons of as good, if not better blood than their sovereigns—are treated when they visit court. Their aristocratic rank is ignored; military rank alone is recognised. Rank throughout Germany is military, but certain civil offices are reckoned as military offices. Thus a judge ranks as a major-general, and a lord-in-waiting as a colonel. The princes of the royal or grand-ducal family, and the mediatised princes in their territory, are above rank. The following is the order of precedence in a minor German court:—

*1st class.* '*Excellencies.*'[1]

Generals in command of a division.
Generals in command of an army corps.
A minister-president of the House of Assembly (Ständeversammlung).
An ambassador.
A privy councillor of the 1st class.[2]

*2nd class.* '*Metre Rang.*'

Major-general.
Geheimrath of the 2nd class.
Chief judge (President des Gerichtshofes).

[1] Once an 'excellency,' always an excellency; a general who has commanded an army corps, a president, &c., to the end of his days remains an 'excellency,' and takes precedence, though out of office, of one in office. They rank by order of service.

[2] A Geheimrath was originally a member of the privy council of the sovereign. Now that constitutional government has become general, there is no privy council. But those whom the sovereign delights to honour can be created Geheimräthe. The members of all government boards are Geheimräthe of the second class. No duties attach to the title of Geheimrath of the first class.

First chamberlain.
State councillor (Staatsrath).
Bishop.
Prelate (Catholic or Protestant).

*3rd class.* '*Chamberlains.*'

Colonel.
Lord-in-waiting.
Privy councillor of legation (Geheime Legationsrath).
Privy councillor of war (Geheime Kriegsrath).
Assessor to a judge.

*Appendix to 3rd class.*

The landed gentry of whatever aristocratic title.

*4th class.* '*Lieutenant-Colonel Rank.*'

Lieutenant-colonel.
Geheime Hofrath.
Geheime Finanzrath.
Geheime Regierungsrath.
Ministerialrath.
Landescommissär.[1]

*5th class.* '*Page-in-Waiting Rank.*'

Page-in-waiting.
Head forester.
Oberstaatsanwalt.
Canon of a cathedral.
Regierungsrath.
Stadtdirektor.

[1] I leave many of these titles untranslated, because it is impossible to render them into proper English equivalents. Many of them are purely honorary titles—such are Hofrath, Finanzrath, Regierungsrath.

In the first two classes the wives are 'hoffähig,' presentable at court; in the third class, presentable only if of gentle birth; in the fourth, not presentable at all.

Consequently a countess or baroness comes in at the very end of the tail of presentable ladies. This arrangement sometimes leads to awkwardnesses. In a certain German court a brother of the sovereign is married to a baroness belonging to a family quite as ancient, noble, and illustrious as that which by favour of Napoleon I. sits now on the throne. The family was, however, never 'immediate.' The marriage therefore was not 'of equal birth,' and the sister-in-law of the sovereign could not appear at court as a princess. At the same time there was a clever civilian, whom we will call Herr Pumpernickel, who for his abilities was elevated by the sovereign into a privy councillor of the 1st class, and was made a gentleman of for life by the grant of a 'von.' His Excellency Herr Geheimrath von Pumpernickel took rank in the first class. Herr von Pumpernickel married a pretty young actress, and introduced her at court, and the Frau Geheimräthin took rank in the first class with him. But the sovereign's sister-in-law, being only a baroness, came in as a landed proprietress in the appendix to the third class, a very long way behind the little actress, who was quite at home and happy in her place, and unconscious of the confusion she caused in divers distinguished breasts. There was no possibility of redressing the inconvenience. The only way for the baroness to climb to the rank of excellencies above the head of the Geheimräthin would be by marrying a general officer, but that was impossible, as she was married to the sovereign's brother. The consequence was that she withdrew altogether from court.

The head of a princely family alone is called Fürst, the other brothers and sons are Prinzen. So also only the reigning duke is a Herzog, the other brothers are Grafen. But the children of a count are counts and countesses, and of a baron are barons and baronesses.[1] Every writer on the German nobility has urged the abandonment of this senseless adhesion to titles by the junior branches of noble families. It has a mischievous effect. In England, where only the eldest son inherits the title of his father, the other members of the family melt into the general mass of the English gentry, and in another generation are altogether one with it. In Germany the retention of title by every one who derives from a noble family makes of the aristocracy a caste which associates only with its own members, and is absolutely cut off from the class below. I knew a case of a baron, so poor that he was glad to act as gardener and not above accepting a cigar, living in a poor cottage. But his associates, and the associates of the baroness his wife, were noble. They were received into the first circle, but never set foot within the door of the bürger. This caste severance is the more mischievous, because courtesy of manner and gentlemanliness of feeling are both a tradition of the aristocracy. It is because the bürger has not associated with a polished class, but been left to stew in his own fat, that he has never been able to emancipate himself from mediæval boorishness. The incessant circulation of social currents in England keeps the whole body sweet.

In Germany the classes are superposed as geologic strata. Carrara marble lies on millstone grit. Porphyry pierces beds of pudding-stone without transforming it.

[1] In Northern Germany, when by family law the chief part of the estate goes to the eldest son, only the eldest son of a count assumes the title of Graf, the other sons are barons.

It is a great misfortune to the country that the gentry are dissociated from the land. The bauers are left without a civilising and softening element in their midst. Just before the French Revolution the landed gentry had everywhere built themselves houses in the very midst of the people, not cut off from them by parks as in England, but with the windows looking into the very village street. There was evidently a desire among them to live on a kindly footing with the peasants. These houses are now deserted, or tenanted only for a couple of months in the summer. Of the ways of the peasants, of their domestic sorrows and sufferings, the family at the schloss know nothing and care nothing. For the schloss and village are not the home, only the hotel for the 'sommerfrische.' Of the friendly, affectionate intercourse between the poor in a parish and the 'quality' at the Hall—so common, so pathetic, that exists everywhere in England where there is a resident squirearchy—Germany knows nothing.

We lament, in England, the cleavage between the classes, but it is nothing to that which exists in Germany. A separation of classes is mischievous in every way, for every class can and ought to learn from the other. In America, where there are no classes, the result is that every man and woman lives for, and thinks of, self only. There is isolation of interests and disregard of others. In Germany the severance of classes produces a similar result; but in Germany it leads not to self-glorification but to class glorification. The bauer thinks himself everything, and hates the citizen. The citizen despises the bauer and the noble, and the nobles live in their narrow exclusive circle, in which they waste their energies in sighing over an irrecoverable past.

The German lesser nobility—that is, the gentry—are no longer a power in the realm. Here and there in every town they are to be found scattered about in the Government offices, or turning their castles into distilleries of turnip-brandy or potato-schnaps, but still associating and marrying only within their sacred circle. In no country have the gentry been so utterly crushed out as in Germany, not even in France. They have had since the fifteenth century two deadly foes working their destruction—the princes, who were jealous of them, and their own improvidence, in subdivision of their estates among their sons. The princes have trampled them down and insulted them, that they might be left alone on the earth to deal with the ignorant peasantry. In 1848 they felt what it was to be without a class to stand between them and the rabble. Nowhere did the bauer revolution rage more savagely than in Anhalt, where the landed gentry had been exterminated to a man. In that storm the knight Christian von Truchsess raised his voice; 'We do not wish to be what we were, certainly not to be tax-free; but to be dishonoured and placed beneath the bauer, that we ought not to be, and that, by God's help, we will not be.' And everywhere they are holding their own—in the literary, the scientific, and the political world, but especially in the army, their ancient field of advance and fame.

But also there, and there only, does the law of 'ebenbürtigkeit' survive as a mischievous tradition of the past affecting the lower nobility. In the army the body of officers forms a close corporation. They elect into it. In the cavalry, no citizen stands a chance of election. Cavalry officers are all men of blue blood. An officer cannot marry 'unebenbürtig.' If he do, he is forced by his comrades to resign his commission. I know a curious

instance. A naval officer, a count of high standing and considerable ability and prospects in his profession, married an actress at Kiel, a person of unblemished character and of respectable citizen birth. The count was forced to leave the navy.

I can hardly dismiss the subject of the nobility without a word on German heraldry. This has its peculiar characteristics. The coats are perhaps less remarkable than the crests. A vast number of these are *horns* or *wings*. Wings are extremely rare on English crests. A single wing occurs on a wreath, but not, I believe, the spread double wings common on German helmets, attached to the sides of the casque, with a cognisance between them. The double horns occur on no English crests. A single horn is indeed found, on the wreath, but not the two horns growing out of the helmet as they grew out of the head of the ox. The Baring family bears both wings and horns. The Hanoverian patrician and baronial family of this name has the horns, with a demibear holding a ring in its mouth between them, as on the shield; but the branch which came to England in the reign of George I., and which is now represented by Lord Northbrook and Lord Ashburton, bears the spread wings with a star between. Another peculiar German crest is a peacock's tail, a gorgeous cognisance when rising out of a coronet. It is borne by the von Barneckow, von Berg, Lassota, Maltzan, von Stolberg, Thurn und Taxis, von Used, and many other families.

The von Hund family have a peculiarly lovely crest, a spreading bunch of nine crimson wild pinks, borne by the house ever since an ancestress bore nine sons.

In place of two horns the von Pflugk bear two ploughshares; the von Römer two pilgrims' staves; the von Bünau two feather-brushes; the von Lüttichau two

sickles; the von Bulau both horns and wings; the von Tschammer one stag's horn and one ox-horn. The von Schwarzenbergs and many others bear the horns stuck over with feathers, the von Eberstein hung with rings, the von Altenstein transfixed with arrows.

Another peculiarity of German crests is a cone with a human head at the top. Such a crest is borne by the Rappoltstein, the von Leuchtenberg, the Kranz von Geispoltsheim, the von Henneberg, the von Wedell, and many others. In early heraldic representations these are mere cones, clothed, like nightcaps, the knob at the top having a human face; in later times the cone assumed the shape of a man or woman, almost always without arms.

The story told of the von Wedells is, that their ancestor was a miller. A princess of Brandenburg visited the mill, and peering too curiously into the machinery, her dress was caught, and she was being drawn into it, when the miller with great presence of mind thrust his hands in to arrest the wheels, and wrench her dress away. He succeeded in extricating her, but at the cost of both his hands, which were crushed. In reward for his devotion, he was ennobled, and ever after the family has borne a miller without arms on the helmet, and a cog-wheel on the shield.

The origin of these curious cognisances is simple enough. On examining heraldic representations of the thirteenth century, it is clear that what is called the mantling of a shield was originally the 'puggary' of knighthood. In Germany, France, and Italy, it was impossible for men to bear the burning sun on their helmets without a screen. They threw mantles over their casques to keep them cool. The difficulty was, to secure these puggaries. Counts and barons put coronets round their

helmets, and the ring held the veil in place. Ordinary knights screwed their bugles on to their helmets,[1] and cut holes in the veil, which was slipped over the horns. Or they set a metal cone on top of the helmet, which served as drinking cup; and the veil was provided with a cap fitting over this, and so was kept in place.

The wings served the same purpose as the horns; they folded up as a fan when the veil was put over them, and were then expanded to keep it secure. In old representations, the metal piece which contained the hinges is often shown. The 'caps of maintenance,' the tower, and wreath, served the same purpose.[2]

Some curious, some pretty, stories are attached to, and account for, the armorial bearings of certain noble families.

The House of Saxony bears as its coat five black bars on a red field,[3] and across these a green floreated scarp. The origin of this is as follows:—Duke Bernhard I., son of Albert the Bear, on his way home from a pilgrimage to the Holy Land, stayed in Venice; he had spent his money, and was forced to lodge with a tradesman till he received remittances. He there contracted an attachment for the daughter. When he left, she gave him a wreath of green rushes and clover, and this he hung across his shield, and bore ever after, when enfeoffed by Frederic I. with the duchy of Saxony, as his special cognisance, out of remembrance of the fair Venetian girl.

The von Stubenbergs bear a ring and a golden lock of woman's hair on their arms and crest. In the Middle Ages a count of Achsberg married a damsel who had been

[1] One drinking-horn, the other for blowing.

[2] For examples of gradual transformation of the 'puggary,' and of German arms, see Hildebrandt's *Heraldisches Musterbuch*, Berlin, 1872.

[3] Not, as is often incorrectly given, five black and five gold bars.

betrothed to the Junker Wülfing of Stubenberg, then absent on crusade. When von Stubenberg returned, he found his mistress the wife of another. He sought her out, and bitterly reproached her with falsehood. With tears she assured him she had been forced by her father to marry the count, and with a kiss she gave him back his betrothal ring and troth. At that moment the Count of Achsberg entered, and furiously charged his wife with infidelity. He seized her by the hair, with his dagger cut off her long tresses, and flung them in the face of von Stubenberg, who at once challenged the count to single combat. The Crusader appeared in the lists with the ring and golden tresses of the countess on his crest, killed the count, and secured the hand of his mistress.

About six miles above Heidelberg is the little town of Steinach, at the foot of grey rocks, and on the surrounding heights are to be seen the ruins of four old castles that belonged to the family of Landschaden von Steinach. In the oldest, called Shadeck, lived Bligger von Steinach, a robber knight, who, from the injury he did the neighbourhood, was called 'Landschaden.'

Bligger was put under the bann of the Empire, and was found one morning murdered in the courtyard of his castle. His son, Ulrich Landschaden von Steinach, thought it advisable to keep out of the country for awhile, so he went with the crusaders to Palestine. There, disguised as a harper, he found admission to the enemy's camp, and he obtained the favour of the Sultan. One night he murdered him in sleep, cut off his head, and escaped with it to the Christian camp. As a reward for this act of treachery, the Emperor knighted him, and gave him the Sultan's head for his crest, and the harp for his arms. He died in 1369. His monument is in the church of Neckar-

Steinach, and represents him with his harp on one side and the Sultan's head on the other.

The family of Schelm von Bergen, which expired in male line in 1844, had the following curious origin:—At a feast given by Frederic I., appeared a graceful masked youth, who danced with the Empress. She insisted on knowing who was her partner, and when he refused to say, appealed to the Emperor, who unmasked him, and behold! it was the executioner's son at Bergen. He ordered him at once to death as the penalty for his audacity, but the bold youth said: 'Sire! my execution will not undo the past; make me one of your retainers.' The Redbeard laughed, bade him kneel down, and knighted him, saying, 'As a rogue you stole in here, and Schelm (rogue) of Bergen shall be your name.'

The von Seinsheim issue from a bauer family, a son of which became a guard in the Imperial corps. One day he asked the Emperor to ennoble him as a reward for his services. The Emperor said he must first find a suitable coat. Seinsheim pointed out of the window at the falling snow. 'Let me bear that,' he asked. 'So be it,' said the Kaiser, and he gave him perpendicular streaks of snow on a blue field.

In a battle with the Tartars at Liegnitz in 1241, all the males of the family of von Schopp fell, except two who were friars, one a Franciscan, the other a Dominican. To save the family from extinction, both brothers left their cloisters and married. Ever after, the von Schoppen descended from the Franciscan have the ancestral lion rampant habited in a ragged Capuchin suit, and those who trace from the Dominican bear the lion in black.

In the last battle fought by Charles the Great against Wittekind, he lost most of his body-guard. Suddenly a great stone flung by a Saxon struck his shield and split it,

leaving the Emperor defenceless. Then one of those lying half dead on the field raised himself and extended his plain silver shield to Charles. When the battle was over, the Emperor sought his assistant, and found him still living, but severely wounded. He dipped his three fore-fingers in the blood of the wound, and drew them across the silver surface of the shield, then returned it to the knight, and said, 'Henceforth, Schönburg, be your blood the badge of your house.' From that time the Schönburgs have borne their silver shield with one broad red bend made by the two first fingers, and a bendlet below gules also, made by the ring-finger of the monarch.

A glorious distinction! But that of the Schenks is more glorious. One hot day St. Elizabeth was on her way to the Wartburg, attended by a glittering array of knights and squires. As the train passed, a poor woman held up her sick child and begged for food and a drop of wine for the little one. The knights rode by without attending to her petition, but a plain squire stopped, and gave the woman his crust and the last drop of wine in his flask. St. Elizabeth saw this, halted, and said, 'Come here, true servant; what you have done to the little one here is done to our Lord in heaven. He will reward you hereafter, and I here. Henceforth be my butler, and pour out for me my cup in royal halls.' The squire, formerly called, from his hardihood, Eisen-Walther, built himself the castle of Schweinsburg, and as the office of butler to the Landgrave of Thuringia was made by St. Elizabeth hereditary in his family, the house has ever since borne the name of Schenk von Schweinsburg.

## CHAPTER III.

### THE LAWS OF SUCCESSION.

*Orlando.* I know you are my eldest brother; and, in the gentle condition of blood, you should so know me. The courtesy of nations allows you my better, in that you are the first-born; but the same tradition takes not away my blood, were there twenty brothers betwixt us: I have as much of my father in me as you; albeit, I confess, your coming before me is nearer to his reverence.

*As You Like It*, act i. sc. 1.

THE earliest conception of property among the Germans attached only to moveables. The land belonged to all; but not so the sheep and oxen, they had owners; not so the tent and trinkets, they were personal property. When men were few and the world was wide before them, land was not sufficiently esteemed to be parcelled out. A house-father moved with his herds from a feeding-ground, after it had been cleared, to fresh pastures. But it was otherwise when men settled and tilled the soil. Then the byre—the house and the cultivated patch of land just round it—were held to be property—the property, however, of a family and not of a person.

From very early times a sharp distinction was drawn between real and personal property; land, real property (*liegende Habe*), never belonged to the individual; he had it in usufruct, never as his own; but moveables (*fahrende Habe*) were allowed to belong to the individual.

Roman law drew no distinction between *possession* and

*property.* What man had in possession, over that he exercised uncontrolled and absolute right. German law never allowed this to apply to land. The land a man enjoyed the possession of belonged to his family, and he had but a life-interest in it.

In England, at the Conquest, William confiscated the estates of those who had opposed his invasion. He granted the land to his Norman followers. But the lands thus granted were not given freely and for nothing; they were given to hold of the king subject to the performance of certain military duties as the condition of the enjoyment of them. The king was considered as in some sense the proprietor, and was called the lord paramount; while the services to be rendered were regarded as incident or annexed to the tenure of the land; in fact, as the rent to be paid for it. This feudal system of tenures, or holding from the king, was soon afterwards applied to all other lands, although they had not been granted out, but remained in the hands of the original Saxon owners.

The feudal doctrine of tenures invaded Germany also, and curiously modified the Teutonic tenet that land belonged to the family, or, more correctly speaking, was itself modified by the latter.

The crown lands were given in feof. The nobles in like manner gave their lands to farmers free or servile. But when once the plough of the new tenant had turned the soil, and his hand had put thatch on the roof, the farm and house became the property of his family under the lordship of the nobleman. The ruling principle of property rights in German law rests on the right of a man to enjoy the fruits of his labour. The bride, in like manner, takes possession of her future abode, by kindling a fire on the hearth, chopping up wood in the stack-yard, and salting the soup in the cauldron. With this principle

is bound up another, *i.e.* that man is not an unit isolated in the world, but that he is a member of a family; that the family, and not the individual, is the unit in the commonwealth. Consequently when a man tills the soil it is not for himself, but for the family, just as truly as when the bride salts the soup, it is not for her own eating, but for the household over which she is the newly-crowned queen.

What St. Paul taught as a new revelation to the civilised Roman world: 'The body is not one member, but many. If the foot shall say, Because I am not the hand, I am not of the body; is it therefore not of the body?'—this doctrine of the Apostle was so thoroughly ingrained in the convictions of the Teutonic people before they embraced Christianity, that it has influenced their whole social development, and ruled their relations to property.

When a nobleman, therefore, gave land to a bauer, free or villein, he gave it for ever. He lost all power of expelling the family from the house and farm in which he had settled them. They paid him a rent in services of various sorts; the bauer tilled his home farm for him, sent his children into service in the castle, paid dues on their marriages, offered a goose at Michaelmas; and so long as the bauer family rendered its services, and had a stalwart son to hold the plough, its tenure of the farm was unassailable. The farmer could divide it among his children, or leave it to only one. He could dispose of it in his family, and in many cases, with consent of his heirs, even out of his family, freely; for by his toil he had acquired a right of property in it, equal to, if not above, that of his over lord.

In close connection with the distinction drawn between the ownership and usufruct of land, is the distinction between property inherited (*Erbe*, Fr. *propres*) and acquired (*Errungenschaft*, Fr. *acquêts*), which came to be recognised in the second period of German legislation. What

a man had himself acquired by his own labour and energy, over that he was allowed free disposal, but that which came to him from the family, of that he had only the use during his life. It was not his own; it belonged to the family of which he was a member, to the chain in which he was a link. The same doctrine prevailed in England. By the laws of Canute testamentary disposal of moveable property was alone allowed. By the laws of Henry I. this distinction was drawn: 'Let a man bestow what he has acquired on whom he will, but if he has bookland inherited from his parents, let him not bestow it beyond the family.' Indeed it was not till the reign of Henry VIII. that testators were allowed to dispose of part of their real estate inherited by them from their fathers.

In Germany the right of the family to the land was most closely guarded. Moveable property might pass freely from hand to hand, real property never without legal formalities. Women and serfs might inherit and devise the former, serfs could not hold and bequeath allodial land, neither for a while could women. The great-grandfather had cleared a piece of ground, the grandfather had tilled it, the father had hedged it in, the son drained it. One generation entered on the labours of another. The land was made fat with the sweat of generations. It was just that it should remain in the hands of the family which had given it its present value—of the family whose ancestors' hands had planted every fruit-tree, and feet had trodden every furrow. The grandson must not alienate it by imprudence, allow it to relapse into wilderness, leave the vines unpruned and the garners unthatched. Consequently he was always liable to 'impeachment for waste;' and the testamentary alienation of allodial land was never allowed. The land was never regarded as individual property. Tacitus, it may be re-

membered, noticed that the Germans made no wills.[1] The children entered as their right on what their fathers had enjoyed for life. When the Roman custom of making wills was introduced, it was resented as an invasion of the rights of the natural heirs, and was forbidden by the Laws of Rothar.[2] An Alemannic population, that has been secluded among the Alps from the intrusion of foreign ideas, has persevered to the present day in its opposition to testamentary dispositions. In Unterwalden—and I believe it is the same in Uri and Schwyz—to make a will is to this day illegal, and a testator has no power even over his moveables and acquisitions. A gift made within a month of decease is invalid.[3] A curious instance came under my notice. A priest in Unterwalden, before his death, gave his old housekeeper the cheeses in his dairy, as a little recognition for her unwearied devotion during a long and distressing illness—he died of cancer in the face. He was dead before thirty days had elapsed, and his nephews extorted the cheeses from the old woman, and made her pay for one which she had disposed of to her poor relations.

In the second period of German legislation, when Roman civilisation began to exercise a powerful influence over Teutonic institutions, testamentary disposition of property was permitted to those who died without issue.[4] Benefactions to the Church were tolerated rather than approved. The earliest wills show by their structure how little reliance was laid on their legality, and the attempt was made to give them that effect which they lacked in law, by an appeal to the superstitious terrors of the heirs.

[1] 'Nullum testamentum.'—*German.* c. 20.

[2] *Lex Rothar.* 360.

[3] It is so in Scotland now. A will is invalid unless a man has appeared at kirk and market after its signature.

[4] *Lex Wisigoth.* iv. 2, 20.

They were weighted with curses as terrible as the anathema that fell on the Jackdaw of Rheims—curses which were to fall on the head and body and limbs of the heir-at-law should he fail to comply with the injunctions of the testator.

In the reigns of Henry I. and Otto the Great wills were not uncommon among the nobility, but it was not till the fifteenth century that they were made by the third estate. That land might be retained as long as possible in a family, women were not allowed to inherit till all the male descendants had died out. 'In land,' say the Salic and Burgundian laws, 'woman has no inheritance.' By the laws of the Angles land passed 'from the sword to the spindle'[1] only in the fifth degree. In Denmark the exclusion of women from succession lasted till the beginning of the eleventh century. In Sweden Eric the Saint (*d.* 1160) decreed that daughters should inherit a third, and Birger Jarl (*d.* 1260) raised their share to a half. Among the Anglo-Saxons bookland (allodial land) was allowed to pass to a woman, but not so folkland.

But by degrees the 'impia consuetudo'[2] of excluding the daughters from the inheritance of their fathers gave way before a just appreciation of woman's position, brought in by Christianity. Wisigoth law allowed daughters to inherit equally with sons;[3] and Chilperic, by edict, in 574, removed female disabilities to inherit in the Frank Empire.[4]

[1] But moveables went to the daughter after the son, then to the sister; lastly to the mother of the deceased.

[2] *Marculf, Form.* ii. 12. [3] *Lex Wisigoth.* iv. 2.

[4] 'De terra vero nulla in muliere hereditas est'—*Lex Sal.* 59, 4. Later recensions inserted 'Salica' before terra, to exclude her only from the hall estate, the land that went with the ancestral title and position.

Lombard law was peculiar. Legitimate sons inherited to the exclusion of all others, but were obliged to give a fixed sum to their sisters and natural brothers. When there was no son, the daughters and sisters of the deceased divided, but a portion fell to the nearest male relative on the father's side.

In the Middle Ages land was divided between sword and spindle. On the Middle and Upper Rhine, the sons took two-thirds, the daughters one-third. On the Lower Rhine and in part of Switzerland the sons had a half and the daughters a half; but in Swabia and in a great part of Germany the division was by heads.

As the land belonged, not to the individual in possession of it, but to the family, he could not part with it without the consent of all those who had any expectation of inheriting it, or part of it. In the North of Germany, adelsland, *i.e.* land which had been in the same family for six generations in direct succession, or which had been received in feof from the king, or which had been acquired by exchange for other allodial land, or which had been received as Wehrgeld, was held to be absolutely inalienable from a family. By Burgundian [1] and Bavarian [2] law a man could not dispose of his estate without the unanimous consent of all his sons. In Sweden every member of the family alive was required to give his consent before an estate could be alienated. In Germany dire necessity (*Schiefnoth*) alone allowed a man to sell his paternal acres. For instance, if the possessor of an estate fell into captivity, he was allowed to sell his land without the consent of his heirs for the purpose of redeeming himself. Later, he might alienate, if he took oath that without the sale of the land he could not pay his debts.[3] This was the

[1] *Lex Burgund.* i. 2. [2] *Lex Bajuv.* i. 1.

[3] *Lex Saxon.* xvii.; *Sachsen-Spiegel*, i. 52, 21; *Schwaben-Spiegel*, 312, &c.

*pauvreté jurée* of French law. But here, again, the law intervened to assist the family in recovering its ancestral fields. If the purchaser intended to resell the land, the heir of the original holder must have the first offer; and unless he formally refused to purchase, the sale could not take place; and if the heir or original owner could produce the sum for which the land was sold within a year and a day of the sale, the purchaser was bound to restore it. This was the *retractatus bursæ* or *gentilitius*—the *retrait lignager* of French law. As late as the sixteenth century this law was universal in Germany. It was only abolished at the Revolution in France. Mortgage of a property was as inadmissible as alienation, except under the same conditions—consent of heirs or necessity.

These laws applied not only to the land held by the nobles, but to that of the peasant as well, and the bauer clung to his ancestral farm with as much tenacity as the noble to his castle—with more indeed—the former holds fast still, the latter has let go.

But though landed property was thus secured to a family, it was not indivisible. On the contrary, it was, throughout a great part of Germany, divided equally among the sons, or among the sons and daughters in equal or different proportions according to their sex.

The Salic [1] and Alemannic [2] laws speak of the division of an estate among many sons. This was not, however, always possible, especially among the bauers. Among them it was customary to leave the farm to one son, and divide the profits, hoarded through many years, among the others. As the most general custom was for the youngest son to inherit the farm, the elder children were portioned off before the death of the father. But of this presently.

In the Middle Ages there were two codes of law

[1] *Lex Sal.* lix. 2, 5. [2] *Lex Alaman.* 88.

governing the relations of holders to the soil—the feudal law (*Lehnrecht*), and the land law (*Landrecht*). These codes favoured distinct modes of inheritance.

Feudalism demanded primogeniture. An office given by the king could not be divided among several; it must be held by one man. With the office went crown land in feof. The office and lands once given became hereditary in a family in tail male. The eldest son invariably succeeded to both the office and the crown feof. But almost always a crown vassal had also allodial estates in his use, which he had inherited from his ancestors. When he died, his feudal tenures went by feudal law to his eldest son, and the family estates by land-right were partitioned equally among all his sons. The Landrecht did not recognise primogeniture.

In 1036 died Frederic I., Count Palatine of Saxony. His eldest son (not in orders) succeeded to the Palatinate, but his family property was equally partitioned among his three sons. Welf IV., Duke of Bavaria, was succeeded in the duchy by his eldest son, Welf V.; but Welf V. shared the family estate equally with his brother, Henry the Black. Henry the Proud, in 1126, followed his father as sole Duke of Bavaria; but Swabia fell to his brother, Welf VI.

Very often estates were divided by lot.

In the thirteenth century the families holding feofs had come to regard their feudal tenures as inalienable family property, to be dealt with and divided like their allodial lands. And we begin then to find the eldest brother retain the title only, and the lands, feudal and allodial, thrown into one lump and divided among the brothers 'æqua lance.'

By feudal law *descendants* alone succeeded; there was no succession by *ascendants*.[1]

[1] 'De consuetudine imperii non succedit nisi filius descendens, imo

German feudal right excluded daughters and female descendants; it instituted a purely agnatic descent.

Rarely were princely families able to have recourse to that convenient institution of the land-right, the 'gesammte Hand,' to interfere in favour of ascendants; they were, however, successful in obtaining in several instances succession of tenures in tail male to their daughters' husbands.

Leutolf obtained the duchy of Swabia after the death of his father-in-law, Duke Hermann I.; he had married Ida, the duke's daughter, and as there was no son, the feof reverted to the crown, but the Emperor invested Leutolf with it afresh. Again, Hermann III. died without male issue in 1012, and the Emperor, Henry II., gave the dukedom to Ernest I., who had married the sister of the late duke.

Frederic III., Burgrave of Nürnberg, fearing that he should die without male issue, obtained a special concession from the Emperor (1213) that his office and feudal lands might pass to a daughter. The Count of Guelders wrung a similar privilege from the Emperor Adolfus in 1295.

It was quite otherwise with land-right. In the twelfth and thirteenth centuries daughters inherited estates, and carried them, as heiresses, into other families.

In the county of Wertheim reigned two brothers simultaneously, Poppo IV. and Rudolf II. Poppo left behind him no sons, but three daughters; and these, as his heiresses, divided the Wertheim estates with their uncle, and each took a sixth of the county as her portion When the ducal line of Zähringen expired in male tail,

revertitur feudum ad imperatorem. Sic vidi hoc quando fieri in Alemannia, per proceres judicari.'—*Card. Hostiensis: Summa de feudis* (13th cent.).

the Margrave of Baden, though closely allied in blood, did not succeed to the territories of the duke; they were taken by his daughters into the families into which they married.

By land-right, as already said, no alienation of family property was allowed to the greatest duke or the humblest yeoman, without the consent of his heirs presumptive.

In 1221, Hermann von der Lippe made a religious foundation 'with the consent of his wife, his sons, his daughters, his brother's son, and all his heirs.' Had one of these withheld consent, the foundation could not have been made.

In 996, Adela, daughter of Count Wichmann, appealed against a religious bequest of her father, because it had been made without her leave, and the Emperor Otto III. restored the estate to her. The Elector Palatine, Ehrenfried, and his wife Mathilda, founded and endowed the Abbey of Braunweiler. Their children reclaimed the land as an illegal alienation, their consent not having been given, and they gained their cause.

As might have been anticipated, the interminable division and subdivision of estates brought many princely and countly families to ruin. They sank out of consideration, and disappeared. The disintegration would have been more rapid had not the wars which raged in Germany swept away so many heirs expectant, and reduced the number of those among whom an estate was ultimately split up. But when the military profession ceased to absorb the scions of noble houses, and the sword to consume them, the consequences of unbounded subdivision came to be felt seriously. Land-right took a lesson from feudal right. One member of the family was constituted its head and rallying-point; to him the estate was made

over entire, and the rest of the family contented themselves with annuities, or appanages. But it was not the sword only which had reduced the number of heirs to a barony and county. The Church had been utilised by the nobility for the same purpose. Almost every great house had an abbey or a convent which it had endowed, and which could accommodate the junior sons, and the daughters it could not afford to portion. Cathedral chapters, mitred monasteries, received into them none who were not nobly born. He who would renounce the world must first prove his pedigree. In Würzburg were twenty-four canons and thirty vicars choral; at Bamberg twenty canons and fourteen minor canons; and none could be received into these chapters who could not trace blue blood through eight descents on both father's and mother's sides. In vain did the Popes protest, under colour of love for religion, actually because these aristocratic strongholds were closed to their Italian favourites.

The Reformation led to the secularisation of a vast number of religious houses and the appropriation of their lands by the Protestant princes. These were left, after the first excitement and exultation of appropriation, face to face in aggravated form with the difficulty of providing for their younger sons.

In 1356 the Golden Bull of Charles IV. had subjected the feofs of the electors to the law of primogeniture. Several of the princes of the Empire thereupon established the same law in their families, but it was not effected at once, or generally, or without difficulty. No such law could be passed without the consent of all the sons, and the consent of juniors to disinherit themselves was not always to be obtained.

But the principality of Lüneburg was made inheritable by the first-born in 1356; primogeniture was intro-

duced into the Palatinate in 1368, and again confirmed in 1378. Into Brandenburg it penetrated in 1473, into Würtemberg in 1482, into Bavaria in 1506. In the territories of the Albertine line of Saxony it was introduced as early as 1499; in Austria not till 1587. It was only when the Saxon princely families were seen to be broken up and sinking into a wreck of splinters, that they adopted primogeniture, Saxe-Weimar in 1719, Saxe-Weimar-Eisenach in 1724, Saxe-Altenburg in 1715, Saxe-Meiningen-Hildburghausen in 1801, Hesse-Homburg in 1626, and Hesse-Cassel in 1620.

It is hardly matter of surprise that those families which were the first to admit the principle of primogeniture, and keep their territories together, are the only ones which have survived mediatisation. All the others had fallen into such small portions that their independence was suppressed in 1808.

The house of Bentheim had estates of some extent. Arnold IV., who died in 1606, left five sons, who divided them among them. Only two of the six branches now survive.

Duke Ernest I. of Saxony had seven sons, and he saw that if he divided Saxony among them, the dignity of the family as well as its power would suffer. He meditated the introduction of primogeniture, but was dissuaded by his court preacher, who quoted to him the text, 'If children, then heirs.' But the fate of Saxony, and of the House of Saxony, was sealed earlier. Frederic the Elector left two sons, Ernest and Albert, who, in 1485, divided the inheritance of their father. Ernest took Thuringia, half of the Osterland and Naumburg, the Electorate, the Vogtland, the Franconian possessions of the family, and the duchy of Saxony. Albert took Meissen, and the second half of Eastern Saxony, all of which he left to his eldest son. But

Ernest did not introduce the right of primogeniture, and the possessions of the Ernestine line were broken up. Ernest I. (born 1601), who, as already said, purposed its introduction, was one of ten sons; and he left seven—all heirs. The Ernestine line dissolved into Saxe-Altenburg, Saxe-Weimar, Saxe-Eisenach, Saxe-Gotha, Saxe-Coburg, Saxe-Meiningen, Saxe-Romheld, Saxe-Eisemberg, Saxe-Hildburghausen, and Saxe-Saalfeld, whereas the younger Albertine line is now royal. Had Frederic II. but introduced primogeniture into his family at the same time as the Elector of Brandenburg, Saxony, and not Prussia, would have been the head of the Germanic Empire. Let any man remember what the Saxon folk was in the time of Charlemagne, how desperately and heroically it fought for its independence, how it extended from the Dutch frontier, from the Rhine at Emmerich to Bohemia, and look at Saxony now, shrivelled into a petty kingdom, Westphalia and all the Saxon and Thuringian provinces swallowed up by Prussia. The breaking up of the Ernestine line into parcels, patches, pinches of principalities, has been the ruin of a great people, and has robbed it of its right prerogative, the headship of Germany.

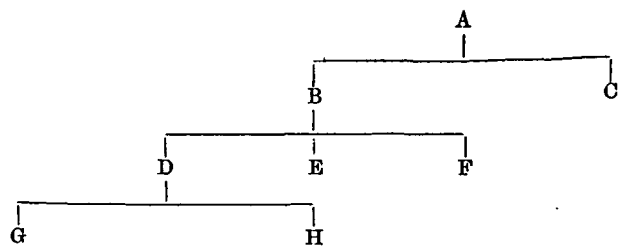
The disastrous effects of unlimited subdivision of property are now fully realised by the upper nobility of Germany, and they have taken precautions against it.

There are four modes whereby estates are kept together by settlement:—1. *Primogeniture*, the right of the eldest son, or, in the event of his death before his father, his eldest son, to succeed to the undivided landed estate. 2. *Majority*, the right of the eldest of the near male relations to succeed. 3. *Seniority*, the right of the eldest male relative, without regard to closeness of relationship. 4. *Secundo* and *Tertiogeniture*, the giving of

appanages to the younger sons for life; which revert on their death to the family estate.

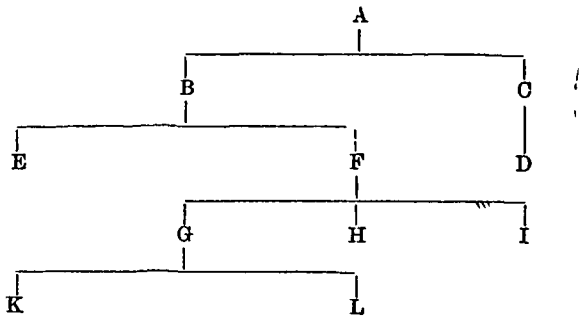
Majority and seniority (*majorat* and *seniorat*) require some further explanation and illustration, as they are not English institutions like primogeniture, with which we are familiar.

I. *Among descendants.*—A is Count of Stolzenegg, leaving two sons, B and C. If D, the eldest son of B, dies before his father, then, if the right of primogeniture be established in the family, the title and territory and estate will pass to G, the eldest grandson of B. But if the




law of succession adopted be that of Majority, E, the second son, will become Count of Stolzenegg, and inherit the undivided property. But, if Seniority be the family right, then C, the brother of B, will become Count, to the exclusion of D, the grandson, and E and F, the sons of the deceased.

II. *Among ascendants.*—If E dies after his brother F and F's eldest son G, then, by right of primogeniture, the county and coronet of Stolzenegg pass from B to K, his great nephew; but, by right of Majority, it would go to H, the second nephew. By right of Seniority, however, it would go to D, the son of C—that is, supposing C to be dead. But if C be alive, then, both by right of Majority and of Seniority, he would succeed E.




The inheritance of an estate by Majority or Seniority has this advantage (!), that he who succeeds to the fortune of the deceased is not legally responsible for his debts, which is not the case when the successor is the eldest son; therefore Majority or Seniority is regarded as much stronger than primogeniture for keeping up the fortunes of a family, and is therefore much affected by the great houses of Germany.

The Count of Dyhrn now enjoys the 'Majorate' of Laasan and of Ober-Glogau; the Prince Sulkowsky is also in possession of two, the 'Majorate' of Ruchelna and that of Reisen.

Secundogeniture is the giving a life-interest in an estate belonging to the family to a second son. Tertiogeniture is a similar provision for the third son. In the House of Hapsburg, the Grand Duchy of Tuscany was an appanage held by the second son, till it was incorporated in the Kingdom of Italy.

The German 'Fideicommiss' is much the same as the English entail of property. It is a legal creation of the seventeenth century, and is a curious instance of the way in which Roman right was twisted to accommodate German principles of landed tenure. We have seen that throughout the Middle Ages the doctrine was held that land belonged to the family, and that the possessor of it

for the time being had only a life-interest in it—a doctrine quite foreign to Roman law. A Fideicommiss now means an estate which has been legally constituted an entail, with succession either by primogeniture or by 'Minorat,' or by 'Majorat,' or by Seniority. A Fideicommiss can at any time be founded by the 'Familienrath,' or family council, constituted of all the members of the family. By similar judgment of the family council, ratified by the board which registered the foundation of the Fideicommiss, the entail can be cut off. The possessor of the entailed estate has little power over it; he cannot sell or mortgage it, and is liable to 'impeachment for waste' should he cut down timber excessively, or in other ways injure it in value, or allow it to deteriorate. The Count of Dohna sits in the Prussian Court of Nobles and House of Lords in virtue of being the holder of the Fideicommiss of Schlobitten, Lauch, Schlodien-Carwinden, and Reichertswald; the Count of Dyhrn for the entailed lordships of Neu-Hardenberg, Klein-Oels, Mittelwald, and Reisewitz. The Count of Taczanowo holds his Grafschaft by Fideicommiss. In Germany, in the Middle Ages, the upper nobility had their own code of laws, the Fürstenrecht. Though mediatised, they still enjoy great legal privileges of establishing family laws, which are allowed to have legal force. The family law (*Familienpact*) is passed by the family gathered in council, and it affects everything in which the house has a common interest, as the succession to titles and estates, the marriages of its members, and the authority more or less dictatorial accorded to the head. His consent withholden may invalidate a marriage. I know a case of a member of the upper ten thousand who married a lady not of equal rank with himself. The marriage could not have been solemnised by Board or priest, without the consent of the head of

the house having been given in writing; and that was only granted when he had signed away every claim he might have to the titles and estates of the family, both for himself and his son, and undertook to bear thenceforth only his family name, with no other mark of rank than the prefix 'von.' Should his elder brother die childless, neither he nor his son could succeed; they are cut out of the family-tree legally as well as heraldically, and the title and coronet would pass over his head to his nephew by a younger brother.

The German Bundesact (Art. 14) gives this autonomy and right of passing family statutes to the houses of the mediatised princes and counts. When a statute has been passed, it can only be repealed by an unanimous vote of the family council. A majority of voices can neither make a law nor abrogate one. In France all family pacts are illegal. The House of Nassau, in 1783, drew up a most elaborate code of family institutes, which were ratified and renewed in 1814. But the most remarkable of all was the family code of Napoleon I., signed March 30, 1806, by which all the sovereigns of his family were subjected to his paternal authority and supervision; and it was provided that in case of disobedience he might throw them into prison and keep them there for a twelvemonth.

One institution of German right never took root among the aristocracy; this was the 'gesammte Hand,' already alluded to, but not explained. Before describing it, it is necessary to review the laws and customs relating to the property of married women.

When a woman married, she brought with her to her husband's house a dower, given her by her parents (*Aussteuer*). This consisted sometimes of two parts, the 'Heimsteuer' and the 'Leibgedinge.' The 'Heimsteuer' was

her contribution towards the furnishing of the house, and the clothing and adorning of her own person. It comprised almost always the linen. Amongst ourselves an unmarried woman is termed a spinster, because she is supposed to be engaged in the days of her maidenhood in spinning and weaving the linen for her future house. In Germany to the present day the wife is expected to furnish the new house, not only with sheets and towels, but with pots, pans, chairs, beds, and tables. This, then, is the 'Heimsteuer,' in the sense of her contribution towards the stocking the new home. It means more. She must bring with her clothes and jewels suitable to her rank.[1] The former part of the 'Heimsteuer' falls under the law of the 'gesammte Hand.' It goes into the common stock, and neither husband nor wife can dispose of any article that was comprised in it without the consent of the other and of the children. But her clothes and ornaments belong exclusively to the woman, and the husband cannot touch them. It was thought a thing monstrous and illegal when Count Eulalius, to pay his debts, sold his wife's trinkets.[2]

The second part of the 'Aussteuer' was the 'Leibgedinge,' or the old Witthum. This consisted of a dower in land, money, or stock, given by the parents with their daughter, so that she might not be wholly dependent on her husband for her maintenance. Among the Romans it was thought discreditable if a woman came to her bridegroom empty-handed;[3] but it was thought more than discreditable among the Germans, it was regarded as making the mar-

[1] 'Ornamenta propria'—*Leges Angl. et Wer.* i. 7.

[2] Greg. Turon. *Hist. Franc.* x. 20.

[3] Sed ut inops, infamis ne sim, ne mi hanc famam differant
Me germanam meam sororem in concubinatum tibi
Sic sine dote dedisse magis quam in matrimonium.
Plaut. *Trinumm.* A. iii. sc. 2.

riage nothing better than concubinage. The German mind was so penetrated with the conception of marriage as a putting together of property, that it refused to allow that to be a lawful marriage where the property was all on one side.[1] 'Charles the Bald took Richildis to be his concubine. Now on a certain feast-day he took the aforesaid concubine and made her his wife (*in conjugem accepit*) by espousing and dowering her (*desponsatam et dotatam*).'[2] The Emperor by fiction assumed that her parents had given him money with her; he then before witnesses made a 'Wiederlegung,' assured her a dower in widowhood, and by so doing converted her from mistress to lawful wife. Till the dower was paid, the children were illegitimate. Sometimes, as in the case of Charles the Bald, the husband provided the dower without having received its equivalent from the parents of his bride. Chindaswind, in 645, forbade husbands giving more than one-tenth of their property as dower, except as a 'Wiederlegung,' to money actually paid with the bride. When land was given with the wife, it did not come into the 'gesammte Hand,' but the woman had free disposal of it. In the lay of Meier Helmbrecht we read—

> Full well I know what will be given
> By Master Rupert to his daughter;
> Some sheep, some pigs, a dozen kyne.

When the portion consisted of cattle, they were put into the common stock, and then ceased to belong to the wife alone. It was the same among citizens when the bride

[1] King Alfred ordered, 'If a man allows his son to marry a slave-girl, let him betroth her to him, and provide her with clothes and what is necessary for her maidenhood; that is her *Weotuma*, let him give her that.' Without the witthum the girl would be a concubine, but with it a legitimate wife.

[2] *Fragm. ap. Duchesne*, ii. 404.

brought with her merchandise or money. It was put with, and confounded with, the property of the man, and thenceforth all the property was held with 'gesammte Hand,' so that neither had power over it without consent of the other.

Among the aristocracy, when the bride brought with her money, not land, then the husband made a 'Wiederlegung'—*i.e.* he gave to her the land or buildings equivalent in value to the sum paid to him with her. In 1332, the Count of Montfort received with his wife 2,000 marks in silver, and he undertook to build her a castle 'as a true and proper Wiederlegung.' In the ballad of 'Metzen's Marriage:'

> Then Mistress Metzen was 'wieder laid'
> With two good acres, thickly sowed
> With winnowed oats, and in the yard
> With poultry-house and fourteen hens,
> And of pennies five pound.

The wife had also as her own the 'Morgengabe.' This was a sum of money, or a charge on land, or cattle, given freely by the husband to his wife the morning after marriage. It was given only to those who were maids, and therefore not to widows on second marriage. The generosity of the bridegroom was thought on such an occasion to require legal restriction, and the Schwaben-Spiegel lays down the limits of the Morgengabe, which must not be exceeded. Kings were under no control, but princes and barons might not exceed 100 marks in their effusive liberality; the lesser nobility could not give above 10 marks; the servants of a prince were limited to 5 marks. A knight might bestow on his bride his best horse or a cow, money he was not supposed to have to give; but a merchant might bestow on her 10 marks and a horse and cow. A farmer was tied to one horse and one

cow, or 10 marks, not both; and a serf to a sheep or a goat, or 5 sous.

When a woman brought with her no portion from her parents, she had only the 'Morgengabe' of her husband to look to as her own, as her provision in widowhood. A marriage with only 'Morgengabe,' and without 'Aussteuer,' was called in the corrupt Latin of the Lombard laws 'matrimonium in morgenaticam,' and this originated the name, 'morganatic marriage.' The wife who came to her husband without portion was naturally supposed to be his inferior in birth, and therefore unequal marriages were entitled morganatic marriages.

A law of Liutprand, in 717, requires, 'If any husband wishes to give a *Morgencap* to his wife, when he has associated her to him in marriage, let him do so by deed and before witnesses, her parents and friends, and let him say, "This is the *Morgencap* I have given to my wife," that there may be no chance of mistake afterwards. But the Morgencap must never exceed one quarter of his property. It may be less if he chooses.' Again, in 728, Liutprand forbade husbands under any excuse giving more of their fortune to their wives than what was fixed by law for 'Meta' and 'Morgencap.' The Franks called the Morgengabe 'donum matutinum,' and fixed it at not exceeding a third of the estate. With them it was soon confounded with the dower or 'Wiederlegung.'

The amount of the Morgengabe came in the Middle Ages to be agreed upon in the marriage contract; but it was never paid till the morning after marriage. It was sometimes given in land, sometimes in goods. William I. of Holland, in 1220, gave his wife as morning-gift a water-mill (*molendina aquatica*). Duke William of Julich gave his bride Sybilla of Brandenburg, in 1480, the castle of Benrode, and 500 florins for pin-money.

In the Sachsen-Spiegel, the Morgengabe is that part of the substance of the husband which the widow can claim on his death. It consists of all the hens, geese, cows, mares, and sheep; to the cocks, ganders, bulls, and horses she has no claim. But the widow never broke up the farmyard by carrying off all the poultry and cattle of her sex; she received from the heirs in lieu a sum which was their value.

In Saxony the institution was legally abolished in 1829; it survives more as a tradition than a practice, except, perhaps, among the peasantry of parts of Germany, who cling tenaciously to old usages.

The property of married people was not usually thrown together till a child was born to them, or till a year and a day had elapsed since they were united.

When the property was thrown together it was held with 'gesammte Hand' by both together, and neither without the other could dispose of the property; for 'Leib an Leib,' said the law, and 'Gut an Gut.' Generally the man had control with free hand over the moveables, but his hand was tied in his disposal of the immoveables.

During marriage two kinds of property had to be considered—that which was brought into common use on the occasion of marriage, and that which was acquired by husband or wife after marriage. Such was rarely thrown into 'gesammte Hand,' but remained at the free disposal of the party who had inherited or otherwise acquired it.

When husband or wife died, the division and succession to property differed according to whether the marriage had been without issue (*unbeerbte Ehe*) or with issue (*beerbte Ehe*). According to Old German law on the Upper and Middle Rhine, when in a marriage without issue one of the parties died, then the widower took two-thirds, the widow one-third, of property acquired during marriage

(*Errungenschaft*). Such was a statute passed by Bishop William of Strassburg, in 1533, for Egisheim.[1] The survivor could always claim support from the estate of the deceased. This was called, on the Lower Rhine, *Lif-tocht*, on the Middle Rhine and in Franconia, *Bisess*

According to the usage of Freiburg in Breisgau (1120), of Colmar (1293), of Remich (1477), of Lorraine, Luxemburg (1588), Echternach (1589), &c., the woman inherited *all* after the death of her husband without issue.[2]

By Saarbrücken land-right the survivor kept all the personal and acquired property of the deceased for life, after which it passed to his heirs. This was the law also in Old Würtemberg and the towns of East Franconia.

As a general usage in marriage without issue, the moveables were held in common during life, and after death all went to the survivor, or were divided by quota among the heirs. All acquisitions in immoveables went to the male heirs; but if the widow had received no Morgengabe, she could legally demand of them one-third as her own, in some places one-half; and what was over, and went to the male heirs, was encumbered with charges for the support of the widow. All acquisitions by inheritance on one side or the other went to the heirs, but were charged for the maintenance of the widower or widow.

When, however, marriage was with issue, laws were different. By Cologne right all property went to the children, but was charged with the maintenance of the

[1] 'Que les plus proches héritiers du défunt héritent et prennent pour leur part les biens immeubles provenant de la ligne du décédé, s'ils sont encore existans et n'ont pas été changés; mais au cas que les biens ont été changés, ils en prennent deux tiers, et la femme ou ses héritiers un tiers.'

[2] 'Omnis mulier parificabitur viro, et e contra, et vir mulieris erit hæres, et e contra.'

widow. But by Bern, Freiburg in Voigtland, and Swabian right (in Kempten, Meningen, Lindau, &c.), all went to the survivor, with charges for the children. By Mainz right the estate was divided between widow and children, the widow and daughters taking the 'spindle share,' one-third, and dividing it among them; the sons taking the 'sword share,' two-thirds, and dividing that.

When property went all to the widow, the children had a lien (Verfangenschaft) on it; she could not mortgage, sell, or give away any of it.

The law in Prussia is now this, in cases of intestacy:—

If the deceased leaves relatives in descending line, children or grandchildren, the survivor (widow or widower) takes one-fourth.

If there are more than three descendants to inherit, the survivor shares equally with the children.

If the deceased leaves only ascendants in the first degree, brothers and sisters, then the survivor takes one-third.

If the relatives are more distant, as nephews and nieces, the survivor inherits one-half.

If there are no relatives, the survivor inherits all.

In no case can a husband or wife deprive the other by will of one-half of the share which would fall to his or her lot in the case of intestacy. For instance, a man with three children may bequeath to his wife one-eighth of his estate. The half of what she would obtain were he to die intestate is called the 'Pflichttheil,' and is inalienable.

Modern German law lays down as the rule of intestate succession: 'Children inherit equal shares of their parents' estate.' But a parent is not obliged to give his child more than the 'Pflichttheil.' When a parent has only one or two children, then the 'Pflichttheil' is a third of the

sum which would be given to the child were the parent to die intestate. For instance, a man has an estate worth 10,000*l.*; if he dies intestate, leaving a wife and two children, the widow takes 2,500*l.*, and each child, male or female, 3,750*l.* But he may so dispose of his property that the wife gets only 1,250*l.*, and each child 1,250*l.*

If there be three or four children, then the 'Pflichttheil' is one half; if there be more than four, two-thirds of what would be the share of the child were the parent to die intestate. But if a child marries without the parent's consent, the 'Pflichttheil' is reduced one-half.

When modern German law rules the equal subdivision of property among children when the father dies without making a will, it follows the tradition of German land-right from immemorial times. But, though equal partition has been the theory, it has not been the invariable practice.

During more than two thousand years among the Bedouins the law of primogeniture has been recognised. The wealth of the Bedouin consists in herds, and not in land. Divided, the herds of the head of the family would not suffice to maintain each son. Subdivision of the moveable inheritance, when nothing else prevented, does not take place, for economical reasons. For economical reasons also equal partition has not been put in practice in a great part of Germany. A bauer has a dwelling-house and farm-buildings and an estate. He dies, leaving five children. They call in a valuer, and he appraises the land at 40,000 thalers, and the buildings at 10,000. Each child takes a fifth. One, therefore, gets the farm-house and offices without land, and the others get each a quarter of the land and no house, barns, or stables. I remember a raffle in a village got up by a travelling tinker. There were three prizes—his donkey, his cart,

the harness; and tickets were sixpence each. A shoemaker who had no paddock got the ass; the cart went to a lollipop-seller, a widow, who had no shed under which to put it; and the harness was won by a carrier who had a horse too large to go in the gear worn by the donkey. Partitions as unpromising of success are often the result of these divisions among the heirs of farmers. Recourse is sometimes had to a sale. This is avoided if possible, as the German peasant clings to the paternal farm with as much love as the English squire to the estate and hall of his ancestors. What is much more common is for one son to undertake the farm, mortgage it up to its full value, and pay with what he raises on it the claims of his brothers and sisters. This is how it is that so much farm-land is mortgaged. The profits go to the Jew money-lenders; and the bauer scrambles on as best he may, never able to pay off the money raised, and when he dies leaving nothing to be divided among his children. Wherever one goes the German peasant may be heard muttering curses on the Jew, who sucks the fat out of the land, and grows rich on the labour of the peasant whom he is crushing. But the system is to blame, and not the money-lender. It has been proposed, but, I believe, not yet acted upon, that the bauers should leave annuities to those of their children who do not take on the farm. A farmer could pay his fellow-heirs out of the annual receipts; and those who desire to raise capital could sell their annuities. One thing is perfectly certain; the present system is ruinous to agriculture, for the farmer goes on tilling without capital. He starts on his farming without a penny in his pocket; all he has raised on the land has gone to his brothers and sisters, and to the end of his days he is struggling to keep a family on nothing, whilst the profits of the farm are eaten up by the usurer. Till the Reformation usury was

forbidden. The idea of capital, as we understand it, was not understood in the Middle Ages. Canon law forbade the taking of usury for the loan of money, and it was forbidden also by land law. Even Melanchthon regarded money taken for the loan of a sum as robbery. The prohibition of usury had one advantageous result—it saved estates and farms from being burdened with mortgages. It is obvious that before the raising money on a farm was possible, the system of buying off the coheirs could not be put in practice. There were, also, economical reasons in many parts which forbade the parcelling of the land.

What was done was this. The youngest son was constituted heir to the farm and lands. The father was always, therefore, able to portion off his elder children in his lifetime, according to his means, extinguishing one after another their claims on his inheritance. Consequently, when the youngest son came into possession, the farm was burdened only with an annuity for his mother. This system is still very widely spread and greatly favoured, and it answers admirably. The father, better than anybody else, is able to estimate the net value of his farm. He lays by his savings till he has enough for the portion of the eldest son or eldest daughter; he then puts the first out in trade or marries the other. Then he saves for the second, and so on till all the children are provided for. In some cases the amount given is not over the Pflichttheil; it is never quite up to the full share, were the estate sold and divided. The professional valuer, as a bauer said to me, puts the full price on the land; the father always values to suit the exigencies of the family and the welfare of the farm.[1]

[1] In North Germany, where farms are not divided, the daughters are dowered not in proportion to the estate, but to the station in life of the father.—*Riehl: Die Familie.* Stuttg. 1861, p. 16.

One great advantage of 'Minorat' succession in farms is that the bloom of life and power for work of the heir coincides more nearly with the declension of power and activity in the father than under primogeniture, in which very generally both father and heir presumptive are simultaneously full of life and vigour. But, on the other hand, it has this disadvantage, that no son knows whether he will be heir or not till nine months after the father's decease.

'Minorat,' Borough English, is general in the Schwarzwald, in Altenburg, Wolfenbüttel, Oldenburg, and portions of Bremen and Verden, and universal in Westphalia, Grubenhagen, Diepholz, the Emmenthal, and the Upper Palatinate.

In Bremen and Verden another custom is for the father to leave the farm to the most able-bodied of his sons, without regard to age. In Meiningen, the parents conjointly appoint their heir to the land. Their choice usually falls on the eldest or the youngest, according as Majorat or Minorat is the tradition of the family or the custom of the neighbourhood. In some places primogeniture and Borough English subsist side by side in adjoining communities. In certain places—in portions of the Black Forest, for instance—the land always travels through a female hand. It goes to the eldest daughter; if there be no daughters, to the sister, or sister's daughter. This custom dates from a remote antiquity, and is certainly pre-historic. It means that no reliance can be placed on a woman's virtue; and to secure the estate in the family it must be made to descend through females. A wise son knows his father, but any fool can name his mother. Borough English is now almost exclusively the custom of the bauers; it has long ceased to be that of aristocratic succession; but German nursery tales, which

always make the youngest son the successful and favoured child, the heir to the crown, point to a period when it was universal among all classes. 'It is well, said Möser, 'to have the elder birds out of the nest, full-fledged and flying, whilst the heir is hatching.'

In some places, as at Göttingen, lot decides which son shall have the farm. A very common usage is for a son to be disqualified for inheriting if he be not born on the farm. Another, equally common, is more curious, and altogether inexplicable. In the event of a bauer dying and leaving a widow with a family, if the widow marries again, then the second husband and her children by him inherit over the heads of the children of the bauer whose property it was. She alienates the estate, by marriage, from the blood descendants of the possessor.

When an heir is under age—and this is often the case when the farm goes to the youngest—then 'Interimwirthschaft' is a common form of trusteeship. It is usually this: the nearest adult male relative—the uncle, or even the stepfather—throws his property in with that of the minor, and manages them as one. A 'gesammte Hand' can only be broken by death. Consequently, the trustee remains on the estate with life possession, and the heir can only enter on it on the death of the guardian. This system proved so fruitful a cause of quarrel, that it was abolished by law in Mecklenburg in 1810, and some other States have since forbidden it.

I have already mentioned the fact that in parts of Swabia the widow inherits and carries on the farm or business for life, and the children cannot enter upon it till after their mother's death.

## CHAPTER IV.

### PEASANT PROPRIETORS.

Proputty, proputty's ivrything 'ere.
TENNYSON'S *Northern Farmer*, N. S.

THERE is no feature in the English landscape so tormenting and intractable to an artist as the hedge; and yet that is the feature dearest to the naturalist—the home and harbour of flower and fern. A painter can make no picture out of a hillside cut up like a chess-board; and the botanist despairs of flowers on the unhedged plains of France.

How came we to have hedgerows in England? and how came they in South Germany to have none? We have hedges because the Anglo-Saxon conquerors of our island brought hedges with them, or, at all events, a theory of land-tenure and farming which necessitated hedges; whereas the Alemanni, the Franks, Burgundians, and Swabians held a doctrine of land-tenancy which dispensed with them. On the north bank of the Lippe scattered farms nestle among trees with their stack-yards round them, and fields girt about with hedges. On the south bank not a solitary farm is visible, nor a hedge, only clustered cottages, and the land laid out in strips. The distinction is older than might be supposed. Cæsar says of the Nervii, a Belgic people, that 'against attacks of horsemen from olden times they have been wont to

protect themselves by cutting down tender trees and weaving the branches, so that the countless twigs, interlaced with thorn-bushes and other shrubs, might make a hedge not only impenetrable to the foot, but even to the eye.'[1] Cæsar was a soldier, and viewed everything from a military point of view. The hedge to him was a military defence, and nothing more. As a soldier he hated it. Varus did not fall before the Germans in the Teutoburger Wald, but west of it, among the Westphalian hedges.

Tacitus says that the people of Germany (meaning the free Saxons whom he had seen north of the Rhine) 'do not live in towns. They cannot endure houses in close proximity to each other. Scattered and separated, they settle where attracted by a spring, a pasture, or a grove. The villages are not arranged in our manner [the Romano-Celtic] with united, dependent buildings. Each surrounds his house with a garth, from fear of fire or from ignorance of how to build. They do not even use stones or tiles, but employ a common material without show or value [the Devonshire *cob*] and thatch.'[2]

On the other hand, Cæsar says of the Suevi (the Swabians): 'They have no private and separate fields,' and 'none have fixed fields and proper boundaries, but the magistrates and princes in assembly annually divide the ground in proportion and in place among the people, changing the arable land every year.'[3]

Tacitus was only personally acquainted with the Saxon portion of Germany north of the Rhine, but from hearsay he gives an account of the Swabians: 'The serfs are not employed as ours, on work distributed among them. On

[1] *De Bello Gallico*, ii. 17. His description applies exactly to the Westphalian 'Knick.'

[2] *German.* 16. [3] *De Bello Gallico*, iv. 1, and vi. 22.

the contrary, each occupies his own house and has his own hearth. The lord lays on him a tribute of corn, cattle, and stuff [flax]; slavery goes no further.' He adds that the lands are held by the farmers in common, and the fields occupied in rotation. 'They change their tillage-land annually, and let much lie fallow; . . . they do *not* hedge their meadows nor water their gardens, and they cultivate only corn.'[1]

Here we have a rough sketch of a condition of farming which has survived to the present day in Middle and South Germany, with only slight modifications.

When Germany was first colonised, the population was small, settlements sparse, and there was land in abundance to satisfy every necessity. The requirements of the colonists were simple and easily met, the chase was yielding, the soil fresh and apparently inexhaustible, the rivers and lakes teemed with fish. There was at first no landed property. A family settled on a suitable spot in a valley, by the water—even on the water (*Pfahlbauten*)—where the wild deer would come to drink, and a net let down from the platform would draw up a breakfast. Round the settlement the best soil was broken up, and flax and corn were cultivated. The rest of the land as far as the forest was the common *mark*, where all might pasture their short-horned oxen.

The virgin earth yielded harvest after harvest through long years. But at length it became exhausted, and the crop did not answer the demands of the tiller. Then the settlement was dissolved, the family migrated, and repeated its experiments and experiences on new soil. But in the meantime the family had increased. The sons separated and founded homes for themselves, generally in the neighbourhood of the paternal settlement, and when

[1] *German.* 25, 26.

that moved migrated with it. From the Family sprang the Stock, and from the Stock the Folk. All social development issues from the patriarchal conception of the family; but it is only when the basis has broadened to cover a large tract, and involve a multitude, that the Folk emerges upon the stage of history.

As population increased boundaries were created by the necessity of fixing limits to prevent incessant feud. A cluster of related families formed a 'Gemeinde,' a cluster of Gemeinden made a Gau or a Mark. When a Folk became too numerous for its confines, the overflow attacked another Folk. If the assailants failed they disappeared; if they triumphed they enslaved the conquered, and assumed the rights and privileges of freemen. Rapidity of growth of populations made migration a difficulty. The land already exhausted was returned to, and found to have recovered itself while left fallow. The only confines that existed at first were those of the Folk. The next to be traced were those of the Gemeinde—the Commune. The parish is the English division, but the German is communal and not ecclesiastical. The Gemeinde was a community of families allied in blood—an expansion of one family holding land in common. The next stage was the distributing of arable land among the householders, and the marking off of each portion as appropriated. In favourable situations families increased more rapidly than in others, and the sons settled near their fathers' hearths. Thus the village came into existence. But where the soil was not rich enough to allow of this—was rocky or sandy—there dispersion was compulsory. In such situations one son alone remained under the parental roof, perhaps the eldest, most generally the youngest; and the rest separated and sought their fortunes elsewhere.

The great swarms of Saxons and Angles who came to

Britain and conquered it, were the elder sons of the households leaving the parental hive to seek their fortunes elsewhere; the youngest son remaining with his father to succeed him in the byre and inherit his flocks and herds. We hear of periodical migrations of great peoples. In most cases the migrations were not of the whole race, but only of the sons who could not be supported at home. The Montavun Thal contains a population three times as much as the soil and produce of the valley can support. Every spring a dense swarm of men and girls issues from the narrow gorge above Bludenz and disperses over Switzerland and France. The men work the summer through as masons in France, the maids as waitresses in the Swiss inns. In winter they return to their rocky home with pockets well lined with gold. In early days there was no demand for masons and kellnerins; when the young people swarmed out, it was to conquer or be killed; the pastures of the Alps of Montavun could support at home but one son and one daughter. This, on a large scale, is the history of the migrations of the Saxons, Angles, Franks, &c.

Among the Suevi (the Swabians) the whole Gemarkung, or land belonging to a Gemeinde, remained common property, cultivated by the whole village; but among the Saxons the sons migrated, and one alone remained to inherit the parental house. There was reason for this. On the great plain of North Germany the land is sandy, peaty, and poor. It cannot support a dense population. There must be periodical swarms or devastating famines. But in the South and Middle of Germany it is not so. The richer land allows of the growth of population on it. It admits of extensive tillage. Therefore the poor land instituted the custom of one son inheriting and the rest dispersing; and the rich land nourished all at home with

impartial kindness. Thus inexorable necessity established the aristocratic theory of the tenure of land prevalent among the Saxons. Nature herself determined the opposite laws of inheritance which still govern the holding of land in the North and South of Germany: developed in one part the farm with its homesteads, fields, and hedges, and in another formed the village with its common-lands and *Gewannen*; created two systems of farming, the *Koppel-* and the *Hufen-wirthschaft.*

Among the Franks, Alemanns, and Swabians, the communal system was universal, except where the soil was too poor to allow of it. Thus, in the dry table-land of Bavaria, in parts of the Black Forest, and in the Bavarian Alps, we find the close property entailed hard by land held in common and land equally divisible. At first, the whole Gemarkung was the common property of all the households in a Gemeinde. But after a while, as already said, the arable land was divided between the heads of the village households, to be held by them a certain length of time. Then it was allowed to fall back into fallow, and another portion of pasture was appropriated and marked off for tillage. By degrees there came to be system in this change. Large portions of the common land were marked off and allotted for tillage in regular rotation. The land beyond the marks remained common (Allmand or Allmend).[1] At Gersbach, in the Baden Schwarzwald, for instance, the tillage land to this day is all common. Every year a portion is allotted to each village householder who can establish an ancestral claim to it, and is by him cultivated for three years; at the

[1] Some writers suppose the Alemanni were so called from their system of landed holdings, from the 'Allmend.' This I doubt; I suspect the Alemanni derived their name from being a mixed people of Swabians, conquered Celts, Wends, and Rhætians.

expiration of this time it becomes again common property, and he receives by lot a fresh piece of arable land. In the high land on the Hundsrücken and on the spurs of the Eifel, lands are fresh assorted among the village community at intervals of a certain number of years. In the Altmark all the land is common; and the heads of the households assemble under the presidency of the village constable (Schulz) every evening to decide what agricultural work is to be carried on the following day.

Among the Swabians and Alemanns, as the population grew, the time of rotation was reduced to a minimum of three years. The moveable landmarks dividing the several allotments became permanent, and every householder received as many parcels of land as there were divisions for rotation of crops—*i.e.* three. Thus arose the three-field system, so universal in South and Mid Germany. After a while the tillage land in cultivation proved insufficient for the growing population; it was found necessary to reclaim more of the common land. The reclaimed portion was again divided into three, and then subdivided among the householders in parallel strips, so that each strip might enclose some of the best and worst sorts of soil. After another long interval there ensued a third enclosure and allotment. Then perhaps a fourth; till in some parishes the whole of the *Allmend* was taken in and distributed as private property. All these appropriations are marked off in long strips, called *Gewannen* or *Gewende*; and as they were made at long intervals and by lot, it generally happens that the strips of land belonging to a peasant holder lie scattered all over the parish. If one were to go into a nursery after a child has been cutting up coloured papers to twist into spills, one would see on the floor, strewn with strips of red, blue, yellow, and green, a map of the lie of fields belonging to

as many bauers in a South German parish. But the majority of Gemeinden have not yet appropriated all their common land. They have at all events their forest and pasture. But they have also Allmend, which is in tillage, but not appropriated. It still belongs to all, and has no happy lot. In some parishes it is let, and the rent goes into the common box or vestry account. In other parishes it is given for life to the oldest inhabitant; in others it goes by turns to the heads of the community for fixed terms of years. Whichever way it is disposed of, the common saying holds good, 'Gesammt-gut, Verdammt-gut' (common property is accursed property), for it is racked out by its temporary tenant. In Westphalia, portions of the Allmend, there called Vöhden, are given to bauers for from four to six years; at the end of which time the land falls back into common property, and is then so exhausted as to be unable to grow anything. It is bad also for the temporary tenant. Whilst he holds the land he is obliged to have, say six horses. When he gives it up he must reduce his number to two. After a lapse of a few years he gets another grant of common land, and must again buy more horses. Thus there is incessant buying and selling. Precisely like the Vöhden of Westphalia are the Wildfelder of the Spessart, land reclaimed from forest, the Scheffelland in the Eifel, the Torffelder in Waldeck, and the Eggarten in Switzerland and Swabia. Till quite recently it was not unusual in Baden for the common-land tillage to change tenants every three years, and for the Allmend meadows to change every year.

Many villages still have common forest, and each householder in the parish has a right to so many *Klaftern* of firewood from it. Such reckless ruin has been wrought through improvidence in devastating woods, that the various Governments in Germany have been forced to

interfere; and now no man may cut down timber that has not been marked by the forester. In their eagerness to be rich, and indifference to the requirements of posterity, the peasants were sweeping away all the forests of Germany, to turn the wood into cash and the soil into tillage.

The pastures which were common land have fared worse than the woods, which have attracted and secured the protection of Government. Common pasture has in most places been reclaimed and appropriated, and turned into tillage. As there are no hedges, and the strips of land belonging to each farmer are not much wider than a good-sized room, it is impossible to feed cattle on them. Consequently, not cattle only, but sheep also, are stall-fed. Stall-fed sheep bear little wool, and their mutton is tasteless.

The abolition of the pastures has made the rearing of crops take the place of the rearing of cattle. Yet, wherever a farmer has cattle and a dairy, he is well off; a bauer with only tillage is always poor, and generally in debt.

As has been shown, where villages of peasant proprietors exist, there the property of each is scattered all over the parish. The further subdivision and distribution of the property is effected by the Suevo-democratic law of equal partition among all children, male and female, common in Hesse, Thuringia, the Rhenish Franks, the Swabians and Alemanns of Würtemberg, part of Bavaria, Baden, and German Switzerland. Yet even there economic reasons often prevent it. Aloft on a mountain slope sits a comfortable farm, with its alps and home meadows, which one son will inherit. Below in the plain is a village of tillers and growers of grain dividing their little parcels into minuter particles among their children. Yet the rich mountain bauer attends the same parish

church as the poor peasants of the plain. Necessity forced the owner of the Alpine farm to break through the rule of his race, and bequeath the pasture-land and herds to one son, and send forth the others into the wide world to seek their fortunes. No such necessity existed in the plain, where the land was rich, and a man can subsist on the produce of half-a-dozen acres.

In North Germany the land belongs to the nobility and to yeomen farming their own estates. There we have the isolated farm (*Einzelhof*, *Einödhof*). The lines of demarcation between the two systems—the aristocratic and the communal—can be drawn exactly. The limits, beginning from the north-east, are from the Marches of Bremen along the Weser to Rinteln; from thence over the Lemgo and the sources of the Lippe to Lippe, by Hamme, Plettenburg, Attendorn, Drolshagen, to Siegburg and Mülheim; then the line crosses to the right bank of the Rhine at Neuss, and goes by Erkelenz and Heinsberg to the Meuse. All west of this line the land is held in close properties, and is cultivated by farmers not living in villages, but in their scattered houses, as in England. Every farm (*Hof*) is surrounded by its farmyard and its ranges of fields. Several scattered farms form a *Bauerschaft*, which generally bears the name of the oldest and most honourable Hof. This Hof is first in rank among the farms. In it the yeomen of the Bauerschaft assemble and debate on the affairs of their society—decide on marriages, patch up quarrels, and strike bargains. Formerly these assemblies exercised judicial powers, and could pronounce and carry out capital sentences. It was from them that the Holy Vehm arose.

The decisions of the assembly were called Bauersprachen or Bauergerichten. The head farm was called the Richthof, or Court of Judgment, or simply the Oberhof,

as chief farm. Its proprietor bore the proud title always given him of Hauptmann.[1]

It will be seen that the present division of the land in Germany is the result of a process of development reaching back to prehistoric times—a process of regular growth till the time of Charlemagne; but it has been hindered, delayed, and even thrown back during the last thousand years by the growth and pretensions of feudalism.

In Germany it is always possible to distinguish the close farm, *Koppelwirthschaft*, from the scattered divisible properties of the peasant owners in villages. The first exist in North Germany, and here and there as islands—one may say oases—in the midst of other lands; some the remains of free peasant estates of ancient date, others the creation of nobles or the Church, most of which have now fallen into the hands of bauers. Wherever they exist they are conspicuous for superior cultivation of the soil and a better stock of cattle. The land in the hands of large farmers supports, as we shall see presently, fewer hands on the acre, but more in the aggregate.

Peasant properties are almost always broken up into many scattered strips, and rarely lie together.

Villages of peasant proprietors are of three sorts. One sort is a street of houses; such, for instance, as Denzlingen, in Baden, some two miles long. Each house heads a strip of land, the width of the house and offices. This strip is divided into sections. Close to the house are orchard and vegetable garden; beyond is arable land, outside that meadow, and at the verge is wood. Such villages are frequently met with in the Schwarzwald, Odenwald, Oberbayern, and between the Lippe and the Lüneburger moors.

But usually the village lies in the middle or at the

[1] See, for a sketch of Westphalian farm-life, Immermann's *Oberhof*.

edge of the parish, always by the water and where the best soil is found. The houses are rarely built so close to one another that there is not room for vegetable gardens, paddocks, and orchards among them. The orchards round a village, and the cherry-trees along the road, are occasionally common property. The fruit, when gathered, is subdivided among the households. In the immediate neighbourhood of the village is always a portion of the best land bounded off from the rest, kept for most careful cultivation, well manured, and used as vegetable gardens. Outside this is the tillage (*Ackerland*). The whole of this, without exception, is divided into a number of *Gewannen*, each of which also contains a number of subdivisions. The Gewannen vary greatly in length from 30 to 1,000 yards and more, but run, on an average, 200 yards. The longer the strips the narrower is their relative width. It is most rare for a single proprietor to hold a whole Gewanne; each bauer has usually only a strip, a sixteenth or twentieth, of the Gewanne in one place, and a sixteenth or twentieth of a Gewanne elsewhere. The width of these subdivisions naturally varies. Some in the Rhenish Pfalz are only a yard wide. I have measured a good many in Baden, and have found them frequently as narrow as seven yards—*i.e.* width in which to turn a plough—sometimes only three yards. As a general rule, the strips are rectangular.

The traveller in South Germany can scarcely have failed to notice the Gewannen parted from each other by footpaths, and their subdivisions by trenches or stones. Except on steep hillsides, where for convenience of ploughing the Gewannen are ranged horizontally, they are generally so laid out as to give the owners equal shares of good and inferior soil. Where there is diversity of soil, great variation in the direction and shape of the Gewannen is

observable. When one set of Gewannen falls at right angles on another set, that strip on which the heads impinge is called the *Anwende*; it is that on which the ploughs turn, and it is that, in consequence, on which the best soil accumulates. But as it also suffers from the same cause, it always stands in the village land-book as less than it really is—a fact of some importance in the event of sale or exchange.

Only of late years have roads and paths of access been made to the several strips of land. Formerly the main road alone was kept up by the parish, and right of way across the land of neighbours was stringently ruled. It was permitted only at certain seasons, so that a bauer could not always obtain access to his property.

There are villages of a third sort, which must be briefly noticed. In the Westerwald, for instance, the face of the country is studded with innumerable little villages of from six to ten houses, and from forty to fifty inhabitants, each with its school and church and Rathhaus. These villages sprang up in a very natural way. When fresh common land was enclosed, the new families for whom it was taken in set up their cottage-farms near the 'new take' to save having to walk far to their work. In the early Middle Ages the whole country was covered with these little daughter-villages. The large village was a later phase of peasant life. When an old chronicler like Hermann the Cripple relates that 'on July 3, 875, the village Eschborn was so wrecked by a storm that every trace of it vanished,' he alludes, no doubt, to some such humble collection of half-a-dozen houses. But the feuds of the Middle Ages forced the bauers to flock together for protection, and seek shelter under the walls of a castle or a convent, or at all events of a massive church tower. The site of many an old hamlet then deserted is pointed out. Such are the

'wüste Marken,' the deserted marches noted in the archives of every State since the fourteenth century. For instance, in the terrier of the house of Wiesenburg, a feudal tenure of 40,000 acres in East Prussia, in 1575, nineteen wüste Marken are noted, and it says: 'These villages must have existed in times before mind, as the fields, and even the homesteads, are overgrown with oak and beech three hundred years old.' In the Rhenish Palatinate every little swell in the ground was once crowned by its village; now only the names remain to tell where once they stood.

When the dwellers in these hamlets crowded into large villages, they kept their land, but lived at a distance from it. By marriage and purchase they acquired other bits of ground in other parts of the Gemarkung; their children divided the parental acres and united them to other inheritances; and thus ensued the most marvellous distribution of property in patches and shreds all over a parish.

The average size of a strip or piece of arable land possessed by a bauer is naturally very variable. In some places, where they scarce exceed two *Aren*,[1] the owner of twenty hectares (about 50 acres) will have some 1,000 bits of land distributed over the whole surface of the parish. Such is the case on the Main and the Middle Rhine. On the Upper Rhine, on the other hand, the average size of a field is from twelve to fifteen Aren; in Bavaria, thirty Aren. In Baden it has been fixed by law so as not to include less than a quarter of a Morgen,[2] or about a quarter of an acre. Elsewhere it is unregulated.

[1] 1 Are = 100 square metres = 119·603 square yards.
100 Aren = 1 Hectare.
1 Hectare = 2·471 English acres.

[2] A Morgen in Baden is = 0·3600 Hectare.

The three-course system of farming is almost the only one possible in peasant communities. In most of them the arable land is divided by immemorial invariable custom into three portions—the *Feld*, *Flur*, and *Zelg*—the winter, the summer, and the fallow field. We can see in almost every South German parish farming as it was when the Gemarkung was first divided up. Century after century has passed, new vegetables have been introduced —roots, tobacco, hops—but the system has remained unaltered. The arable land changes year by year in rotation of three. Till the feudal system was abolished, this method of farming could not be altered, as the charges on the land were computed by it. But, though the tithing of the crops has ceased to be exacted, it is not much easier to work a change in the three-course system, so hampered is the farmer by the rights of his neighbours, and the danger he incurs of being sued for trespass or damage should he break the customary routine. If a property does not abut on a main road—and this is only the case with a few—the owner is laid under the yoke of old custom, and cannot adopt a more rational system, for he cannot get to his land except at the customary times. Consequently, continual cultivation is only found in large farms.

The meadows (*Wiesen*, *Matten*) as a rule follow the course of the streams, but often lie on dry soil, as on hills and the rough ground that breaks in upon tillage-land. The proportion borne by meadow to tillage is very important. It varies from 0 : 1 or from 3 : 1. Almost without exception, as already stated, in the latter case the bauers are in flourishing circumstances, and in the former are in debt and in the hands of the Jews. Meadow land, like arable land, is parcelled out.

But the greatest subdivision is found among the vine-

yards. Of these the majority of portions are less than an *Are*, say ten rods. The peasants possessing vineyards are almost always in comfortable circumstances.

Pasture land is generally common land. But in some places it is parcelled out in strips like the meadow and tillage. I have seen a whole family watching three sheep and a cow whilst grazing, to prevent their trespassing upon a neighbour's pasture, there being no hedges, but an invisible line drawn between two stone pegs to separate the estates. Such parcelled pastures are common in the Schwarzwald. It is difficult to overrate the waste of time and trouble which they entail, and which they divert from the tillage land.

The average size of a peasant's property can hardly be given. In fertile districts an estate of seventy acres is rare, and a bauer with such a property would be looked up to as a man of wealth. Where the land is poor, it is different.

Anything like a compact farm or estate in Mid and South Germany is most rare. Even where land belongs to the gentry, it is in patches and parcels scattered here and there in and out among the strips belonging to the peasant proprietors. The landed gentry are therefore obliged to cultivate their ground in the same wretched manner as the bauers; and it is only by means of exchange, often at a sacrifice, or by purchase, often above its worth, that they have been able to throw their land together (*Verkoppelung*), and thus introduce a more rational system of agriculture. This is why, in Germany, landed property pays worse than in England. In England the return is 2½ per cent., in Germany it is reckoned rarely to reach 2 per cent. Where land has been thrown together, it is always possible to let it, and a farmer (*Pächter*) is generally glad to rent it, and will pay

the rent and make more out of it for himself than he could have made out of his own land, free of rent, but dispersed over the *Gemarkung*. These farms stand out as oases in a desert of bad agriculture. In North Germany, where large landed estates exist, there is no difficulty in making farms compact. In the large farms the soil yields better, and the cattle are of a superior kind; but the small farms support the largest number of human heads. The small holder who has much tillage and little pasture has no capital to sink in the soil; the number of cattle he maintains is insufficient to manure the land. If his crops fail one year, it is as much as he can do to scramble on to the next harvest: if the second be not unusually good, he falls into the hands of the Jews, who sell him up, take his land, and dispose of it at a price above its worth, for small parcels always fetch high figures as accommodation land to neighbouring holders. There is scarce a village without some Jews in it. They do not cultivate land themselves, but lie in wait, like spiders, for the failing bauer. The usual story of a small farmer's ruin is this. His second ox dies. He cannot plough without two, and he has not the money to buy one. A Jew lets him have an ox at a certain price, to be paid in instalments. When the Jew has thus put his little finger in at the door, the whole fist follows. Just as in England the land of small yeomen gets into the possession of country lawyers who lend them money in hard times, so does the land in Germany go to the Jew. But the Jew never keeps it. He sells it. Where there was wood he was wont to 'stub' it up and sell the ground as tillage, but Government has forbidden this, and made the practice penal.[1]

The subdivision of the land is such an impediment to good farming, and leads, when carried to extreme results,

[1] In Bavaria with fine and imprisonment.

to such a dead-lock, that the Governments in Germany have had to interfere at different times.

In Baden, for instance, in 1760, and again in 1771, and in Speyer in 1753 and 1772, laws were passed forbidding the parcelling of arable land below ¼ of an acre, garden ground below ⅛ of an acre, vineyards also below ⅛ of an acre. In Nassau, in 1777, tillage might not be reduced below ½ an acre, and garden plots below ¼ acre. By law of 1839 the minimum of arable landed property was fixed at 50 rods, of meadow at 25, and of garden at 15. In Darmstadt in 1834 the minimum of subdivision of bad land that was turned by the plough, was fixed at 400 square Klafter,[1] of good land 200, of meadow 100, of vineyard and orchard 50, of garden 20. In Weimar, since 1862, fields of one acre and meadows of ½ an acre may not be legally cut up. In Bavaria a law of 1834 forbade the subdivision of land below a rateable value of a Gulden (1*s.* 9*d.*) In Dalecarlia, in Sweden, a farmer has occasionally 300 parcels of ground distributed over a district four miles square, and only the head of the family knows where they all are. On the Rhine there are peasant properties of twenty acres divided into 120 scattered patches. At Hohenheim is an agricultural college for Würtembergers, founded by Government with the object of raising the character of farming in the kingdom. But it has been found that the pupils will not buy land in Würtemberg, parcelled out as it is, and prefer migrating to North Germany, where they can rent close farms. 'What educated man,' asks List, 'will buy a property broken into a hundred bits in closest contact with blunderheaded, cantankerous boors?'

The mischief wrought by distribution has repeatedly attracted the attention of Government, and various

[1] A Klafter is about 6 ft.

attempts have been made to rearrange scattered peasant properties, so as to facilitate *Koppelwirthschaft.*

In 1617 rearrangements of property were effected in a great number of parishes in Bavaria. Fresh rearrangements were made in 1791, 1810, 1817, 1818, 1821–1826, 1838–1860. In 1861 a law was passed to facilitate redistribution of property in parishes; but as such a redistribution could only be made when approved by a majority in a parish reckoned by heads, not by acreage,[1] it has remained a dead letter; for *Koppelwirthschaft* is an advantage to the large proprietor, but not to the little holder, as the scattered patches of land fetch more than they are worth, and the small proprietor keeps a sale always in his eye.

In Brunswick, during the last thirty-five years, '*Verkoppelung*'—the throwing together of properties—has been carried out energetically, and is now nearly complete. In the south of Hanover, property is in the hands of little owners as in Mid and South Germany. From 1820 till 1850 *Verkoppelung* was optional, but since then it has been made compulsory wherever a majority, reckoned by acreage, agrees to it; all small holders not being allowed a vote, as being invariably obstructives. In the Grand-Duchy of Weimar the Prussian system, which we shall presently describe, has been pursued, and the land everywhere redistributed. Since Hesse-Cassel has been taken by Prussia, redistribution has been carried out there with a high hand.

In Würtemberg and Hesse nothing has been done to stay the evil. But the Prussian Government has gone vigorously to work with Hohenzollern and has recast the land.

[1] That is, where the owner of one Morgen exercises one vote, and the owner of ten Morgen exercises ten votes.

There are three systems of *Verkoppelung*: the oldest is the Nassau system; the most effectual but most despotic is the Prussian; the Baden plan is a combination of both. It will be sufficient if we describe briefly the first two.

In Prussia, if one quarter of the proprietors in a parish ask for a redistribution, the Government proceed at once with the rearrangement. In Nassau and Baden the Government will not act till the consent of a majority of holders has been obtained.

The Nassau experiment dates from the close of last century, that of Baden from 1856.

In Nassau, when a parish has to be recast, it is visited by a surveyor and a special commissioner, who take an exact survey of the land. Then the soil throughout is tested and valued, and registered in a graduated scale. When this has been done, every landholder prefers his claim, and the claims are balanced and registered. The surveyor next lays down a network of paths and roads over the whole parish, so as to allow of every proprietor being able at any time to obtain access to his own land. When this is done, the redistribution of the land takes place. Every claim is considered and satisfied. Where there are equal claims, the lot decides between them.

This system is costly: the cost varies from 3*l.* to 6*l.* per hectare, exclusive of the expense of making the new roads; and the plan is not altogether satisfactory. It prevents much litigation, and allows of a farmer breaking through the old three-course system, by giving each man a way to his own field, but it does not tend to consolidation of property.

The surveyor finds that Bauer Bengel has originally ten lots of soil of class A, five lots of class B, fifteen of class C, and so on. When the redistribution takes place, he takes care to give him the same number of lots of the

same quality of soil; and as the different qualities of soil lie all over the parish, it is found that after the readjustment has taken place, lands are little less scattered than they were before.

The Prussian system is different. There is a special Board for rearrangement of land, and when application is made to it, it takes the matter in hand in a somewhat despotic manner. A special commissioner is sent down to hear, and compare, and register claims. When the proprietors have made their claims they are no more consulted. The surveyor goes to work, maps the parish and tests the soils. Then the net value of every lot is estimated according to the present system of husbandry. The rate-book is next consulted, and each man's claim is considered by that, checked off and controlled. The roads and paths are then thrown as a net over the whole *Gemarkung*, crossing each other at right angles. Then follows the reallotment of land, which takes place without any regard to former arrangement, and is simply determined by the net value of the several claims. From this it follows that where claims are equal in amount, one man will have less good soil and more of an inferior quality, and the other more good soil and little poor land.

The object held in view by the Prussian system is the consolidation of property. When the whole parish has been redistributed, staked out and docketed with the names attached to each lot, then, and not till then, are the claimants allowed to express their opinion on the rearrangement. Their objections are listened to, weighed, and if considered well-founded, some modification in the arrangement is conceded. The cost of the Prussian plan is about half that of the Nassau system, from 2*l.* 4*s.* to 4*l.* 8*s.* per acre. That the parcelling and scattering of a farm all over a parish is an unmixed evil can scarcely

be doubted. It leads to a great waste of time, labour, and manure. Half a day is sometimes consumed in going from one patch of land to another, and the droppings of the horses and oxen fall on the road instead of dressing the ploughed land.

But the distribution of the land among peasant proprietors is not either an unmixed evil or an unqualified advantage. The advantage or disadvantage of subdivision of property is a difficult question, because it is a mixed one.

The first and most important question raised is, how does the system affect the population? This is not easy to answer. In the case of equal subdivision, or of one son inheriting, and the other children being paid off, the result is the same—a large family is a heavy charge on the farm. A bauer to whom I expressed my surprise at his and his neighbours having only two or three children, answered laconically, 'We rear as many as our farms will bear. X - (a cotter) has a dozen children: he is so poor that he can afford it.' The huge families of our labourers are not known in Germany, at all events among the bauers. I confess to an uneasy feeling at seeing the great number of graves of babes in the churchyards; there is no doubt that the death-rate of children in Germany is very much higher than it ought to be. In France, where the law of equal subdivision prevails, it is found materially to affect the increase of the population.

| | | | | |
|---|---|---|---|---|
| In Canada, out of 10,000 inhabitants, there are | | | 4,289 | children under 15. |
| United States | „ | „ | 3,173 | „ |
| Hungary | „ | „ | 3,700 | „ |
| Scotland | „ | „ | 3,668 | „ |
| England and Wales | „ | „ | 3,611 | „ |
| Germany | „ | „ | 3,449 | „ |
| France | „ | „ | 2,706 | „ |

There are districts of Germany almost as prolific in children as Canada, and also such as are only a little less

barren than France. To the first belong the Prussian plain, Bromberg, Marienwerder, Köslin, Posen, and Oppeln; to the latter belong the districts of Upper and Lower Bavaria, Swabia, Middle Franconia, with the Donau circle in Würtemberg and the district of Constance in Baden, and, above all, Lorraine. Curiously enough, the first district is distinguished by its weakness in the number of productives, and the latter by its strength in productives—

| | | | | |
|---|---|---|---|---|
| In Marienwerder, out of | 10,000 | inhabitants, there are | 3,980 | children under 15. |
| Köslin | „ | „ | 3,914 | „ |
| Bromberg | „ | „ | 4,006 | „ |
| Oppeln | „ | „ | 3,945 | „ |

Whereas in the South of Germany—

| | | | | |
|---|---|---|---|---|
| In Upper Bavaria, out of | 10,000 | inhabitants, there are | 2,761 | children under 15. |
| Lower Bavaria | „ | „ | 3,031 | „ |
| Upper Franconia | „ | „ | 3,426 | „ |
| Middle „ | „ | „ | 3,204 | „ |
| Lower „ | „ | „ | 3,282 | „ |
| Bavarian Swabia | „ | „ | 2,896 | „ |
| Lorraine | „ | „ | 2,973 | „ |

But owing to many and various causes, the population may be arrested in one place, and given occasion to grow in another, and I do not think it safe to draw a hasty conclusion that the distribution of property should have affected this great difference. It may be influenced by laws prohibiting marriage without a competence to support a family, such as prevailed till lately in Bavaria, or by the emigration of the productive population.

Riehl says: 'Where right of primogeniture among the peasants (*Bauernmajorat*) does not exist, the estate is generally put to lot among the children, so as to save the

paternal inheritance from being broken up. Where the law interferes with the right of primogeniture or allotment, there we find the bauer circumvent the law. He will violate morality to secure his end. For instance, on the Lower Maine, where subdivision has flourished in great exuberance, I know a pair of solitary villages, which wage unflagging war with petty parcelling. It is an unheard-of thing in those villages for a marriage to yield more than two children. The communities are rich and thriving, and the pastors preach against the crying evil, but all in vain.'[1] Ulmenstein, in 1827, said the same thing,[2] and Autenrieth, in 1779,[3] gave painful particulars of the systematic way in which the population was kept down to avoid the breaking-up of small properties. In France, as is too well known, in marriage contracts it is not uncommon to specify how many children are to be reared. The unproductiveness of French marriages is almost solely the result of the law of equal subdivision. The peasant is under the same desire as the noble to keep his property together, and circumvents the law of the land by violation of the law of God. Mr. Boner, in his valuable book on Transylvania, says: 'We have seen how the Wallach population has increased, outnumbering by far that of the Germans. How is it that these German colonists should thus dwindle away, instead of peopling the land with their race? The man of substance could not bear the thought of seeing his possessions divided, and as the patrimony could not be increased to provide amply for each member of a numerous family, the same obnoxious and objectionable causes, which in France check the increase of the population, were allowed to work here among the Saxon peasantry. One child got the house

[1] *Die Bürgerliche Gesellschaft.* Stuttg. 1861, p. 68.
[2] *Ueber unbeschränkte Zertheilbarkeit des Bodens.* Berlin, 1827.
[3] *Ueber Vertrennung der Bauerngüter.* Stuttg. 1779.

and some land, and the other the remaining portion. Thus each got a goodly estate. Moreover, the Saxon could not accustom himself to give the surplus population of his village to the towns, the sons and daughters going into the world to make their way, and gaining their bread in a humbler sphere. Yet formerly it was not so. In early times the Saxons colonised new spots with the surplus population of their hamlets. There are villages where the population has remained stationary for a hundred and more years. In others, where originally every inhabitant was German, with but a few Wallach huts outside the boundary, there is now hardly one Saxon left. This is the case at Dunesdorf, and the change has taken place since the childhood of men still living. There were, however, throughout Transylvania Saxon villages, whose inhabitants were *not* free men, located on the manor of the Hungarian noble. They were without land of their own, and poor, and had nothing to give their children in marriage, or to leave as a bequest. Yet just in these villages the Saxons were blessed with numerous descendants. At Peschendorf the Saxons were all serfs formerly. Here it would be difficult to find a household where there were only three children; and they rejoice that it is so. But at St. Jacob, a free, rich village, close by, it would be equally difficult to find one with as many as three.'[1]

It is precisely the same in the Palatinate, and also in Westphalia; it is the same where the farmers leave their estate entire to one son, and where they split it among their children; and I believe the foundation of the evil lies in a true and right principle, that each child should inherit as much as the other. Certain it is that the German day-labourer has a swarm of children, and the bauer has few, and this is not a caprice of nature.

[1] C. Boner: *Transylvania and its Products*, 1865, p. 272 *sq.*

The subdivision of farms among many heirs has a bad effect on the agriculture. The live stock is deteriorating. The common pastures are now so few, that most sheep as well as cattle are stall-fed. In the valley of the Rhine, from the Dutch frontier to the head of the lake of Constance, and all the high land admirably suited for sheep-farming, the Eifel, the Taunus, the Haardt, the Odenwald, the Vogesen, and the Black Forest, 170 sheep[1] to the English square mile are reared; the average of oxen along the Rhine valley is, however, 430 to the English square mile.

Sheep living in warm stables, as already said, give little wool. The cows are used to give milk, and plough and draw the wain. They are of a poor lean quality. A poor ox eats as much as a good beast; but the peasant cannot afford to buy animals with breed in them. Veal is eaten to an enormous extent in Germany, for beef defies mastication unless boiled to rags. The peasant cannot afford to rear oxen for meat. Their services are needed for the plough. When farms are divided, a couple of oxen take the place of a horse, and the live stock about the yard dwindle to pigs and poultry.

Fallati mentions three farms in a Würtemberg parish, comprising together 152 acres. These farms, a few years ago, supported from 68 to 74 head of cattle. The three farmers died and their lands were divided among thirteen children, and on these thirteen little farms the number of cattle dropped to sixteen or seventeen.[2] It is, moreover, impossible to make the land yield what it can, unless capital be expended on it. The soil is impoverished. It gets plenty of labour on it, but it demands other dressing

[1] Rhenish Provinces only 170, Baden 120, Rhenish Palatinate, 69. In England the average is 1,570.

[2] *Tübinger Zeitschrift*, 1845, p. 332.

than the sweat of the brow. It never tastes lime, guano, nor superphosphate. Even the burning of clay is too costly an experiment on loamy soils. Stall-droppings alone restore to it a part of what is taken from it; but as an insufficient number of cattle is kept, and as much manure is wasted on the roads in travelling from one patch of land to another, that part is small. But what Germans do understand is the utilisation of the town soil. That is carefully cherished and distributed over the land within a radius of four miles of the town.

In almost every parish are a large number of small proprietors, existing on the fragments of a parcelled farm. They have too little land to allow of their keeping a horse or oxen, consequently they have to depend on the great bauers for the tilling of their land and the carting of their harvest. These little holders have to pay high for the hire, and they obtain what they desire often when too late in the season. They are behindhand with their ploughing, and their crops are not carried till bad weather has set in. An English labourer lives in luxury compared to these small farmers, who drag on in squalor and misery, bowed under debt to the Jew who lies in wait to sell them up.

In England, in good years an acre will produce on an average thirty bushels of wheat; in Germany the average is fourteen; in the richest districts and most favourable years, little over twenty. Nor are the root crops good. Nothing tells the tale of how a land is farmed better than the roots. The richest soil in Germany renders roots no better than are raised on some of the poorest soil in England. In England, we clean the ground from which corn has been reaped by giving it a root crop. The small farmers of Germany till and till through the summer to clean the soil, but take nothing from it.

The Tuniberg is built up of the richest soil of the

Rhine valley. It is a range of inexhaustible heaped-up soil, the glacial mud of the Swiss mountains coating to a depth of from fifty to a hundred feet a ridge of volcanic trap and scoria. In the hollows, and all along the Southern slopes of the Kaiserstuhl, similar mud (called *Los*) has been deposited, fine and impalpable as dust—the paradise of the ant-lion, which there makes its traps in myriads. Here the little farmers grow, in succession, potatoes, barley, and hemp, an exhausting course which would ruin the soil, underdressed as it is, were it not of inexhaustible fertility.

On the Kaiserstuhl the little holders went on growing their wretched vines and expressing their sour wine year after year. At last a capitalist by good fortune succeeded in laying three or four farms together. He rooted up every vine, and imported fresh plants from Naples. For three years he reaped nothing. The outlay was great and there was no return. The fourth year he began to realise, and rapidly made a fortune. Now the Kaiserstuhl wine is the best on the Upper Rhine. Small holders are condemned to go on in the old routine. They cannot sacrifice a year's income to make an improvement, they cannot sink any money in the soil, but they will drop into it any amount of sweat.

Mohl, who was no friend to patriarchal holding together of property, complained despairingly of the condition to which subdivision of land was reducing the agriculture of Würtemberg. The little properties of a few acres he called 'cancers corroding the face of the country, the health of which can only be saved by heroic measures.'[1]

An instance is given of a nut-tree, to which thirty persons had claims. When the nuts were gathered, they were parted into thirty lots.

[1] *Polizeiwirthschaft*, ii. § 99

In the Elsass plain, the mean size of a peasant estate is four hectares, from nine to ten acres. 'La terre,' says Lavergne, 'y est littéralement découpée en lamières, qui se vendent à des prix fous.'[1] The easy transfer and ready sale for parcels of land has led to speculation which goes by the popular name of 'Hofmetzgerei' (farm-butchery), carried on by the Jews. They buy a farm of moderate size of the heirs of a yeoman, who will divide the inheritance equally among them, and chop it up into bits which are sold by auction. Spirits are freely distributed at the sale, the competition becomes lively, and the morsels sell for extraordinary prices. The Jew realises large profits. This speculation was becoming such a danger, that the Bavarian Government in 1852 passed a law punishing it with three months' imprisonment, and a fine of from 100 to 1,000 florins. The Würtemberg Government in 1853 was also forced to interfere, and forbid the sale of an estate of more than ten acres till three years have elapsed since its purchase. By Prussian law of the same year, no man can chop up and sell land till he has held it a twelvemonth in his own hands. But these laws do not prevent the racking out of the soil before sale, and they are easily and constantly evaded.

In England, small proprietors of land rarely thrive, whereas yeomen on a moderate estate get on in life. The reason is that land must have capital laid out on it to make it pay. In Germany, the experience of the bauers has formulated itself in proverbs. 'Great estates,' they say, 'nourish their man, and little ones devour themselves;'[2] and 'a divided rood never comes to the fourth brood.'[3]

[1] *Journal des Economies*, 1856, p. 181.

[2] 'Grosse Güter nähren ihren Mann: kleine zehren sich selbst auf.'

[3] 'Getheiltes Gut kommt nicht auf die vierte Brut.'

The land now produces hardly two-thirds of what it might be made to yield if worked by men with capital. That means, it supports ten men where it might support fifteen. *But* it supports seven men on the land, whereas in the hands of a large farmer it would keep only five in employment. Thus the same piece of land will hold to the soil seven men, and feed three more in a city or engaged on a trade, which under a better system of farming would keep five men on the land and feed eight employed on other branches of industry.

It may be questioned whether the general happiness of the country is not greater by so many being kept to agricultural work, who would otherwise be drudging in factories. I have no doubt about that in my own mind. For six months daily in a German town, I used to meet the market people with fresh sunny faces as they came in to their stalls, and the factory hands as they rushed by, with sodden and sullen countenances, to their dinners. But the commercial prosperity of a country and the sum of happiness of the people, I fear, vary in inverse ratio.

A friend—a German—who has seen and lived among bauers and citizens, the tillers of the field and the toilers in the mill, said to me one day, 'I doubt if there be a happier set of people under the sun than our peasants.' After a pause he added, 'So long as they are out of the clutch of the Jew.'

The artisan is restless and dissatisfied. He is mechanised. He finds no interest in his work, and his soul frets at the routine. He is miserable, and he knows not why. But the man who toils on his own plot of ground is morally and physically healthy. He is a freeman, the sense he has of independence gives him his upright carriage, his fearless brow, and his joyous laugh. The worker among machinery feels himself to be a slave, a slave bound to a

wheel, and this consciousness causes his moral deterioration. The serf may love his master, but who can love a boiler? In the town the brain is active. Like the pearl, it grows out of disease in the shell. In the country it lies latent, but muscle grows, and the lungs play like blacksmith's bellows.

The initiative must ever come from the town. The pagani are ever averse to the light, except the light of *ignes fatui*. But the Bauerstand is a wholesome check on too rapid and one-sided development in civilisation. New ideas are given off in the town like sparks, from the clashing together of minds different yet equally hard, but the peasantry are not the tinder which they will fire. The amadou are the artisans.

To the bauer new ideas are as hateful as rockets in a stackyard. 'One is never too late to learn,' said the hag, 'and she began to study witchcraft.' This is the answer he makes to every new suggestion.

When the Thirty Years' war broke the power of the nobles, and left waste places void of owners, the peasantry spread like a lichen noiselessly over the scars and obscured them. In old Würtemberg, then half the size of the present kingdom, there were left 250,000 acres of ownerless arable land, 40,000 acres of devastated vineyard, and 40,000 acres of unclaimed meadow. The peasantry soon appropriated them all, and there was no one to say them nay. The sovereigns perceived that the bauers were their best support, and during the seventeenth and eighteenth centuries removed one disability after another, till the Bauerstand became the most favoured in the land. The bauer is the great conservative element in Germany as in France. Against him the Government may always set its back. 'Gesammt Gut est verdammt Gut,' is his answer to Social democracy.

In 1848 the peasants rose at the call of the political clubs, but not for any political idea, solely for the removal of disabilities. When liberty of the press was decreed, they became suspicious, because the towns grew jubilant. They had their calendars, and who wanted more? When told that a parliament was to be established, they inquired whether it was to consist of cavalry or of infantry. They exhausted their anger on the toll-gates. When they could lay hold of them, they burnt the mortgages on their lands, and were much disappointed that they might not also burn the Jews who held them.

The German soldier is the German bauer in uniform. After having crawled like a maggot about the paternal dungheap for eighteen years, he suddenly appears with wings and antennæ. He is in uniform, and for three years flutters on the parade, in the beer-gardens, in the gallery at the theatre, and then he chrysalises into the old paternal bauer suit and the patriarchal ideas. When the peasant boy is confirmed, he dons a new suit, made very long in the leg and body, and arms and tail. When the ceremony is over, the garments are folded up and put away again, to be assumed at his wedding. He has grown to fit them. So he has grown to fit the doctrines and prejudices and doggedness of his class. He becomes a chrysalis, I said, on returning to the village from the barrack. The soldier's life has been a dream, nothing more; and now he spins, and spins his cocoon for his Schatz and himself and his eggs, burying himself in his domestic bliss more and more, deeper and deeper from the day. The Bauerstand is the arm, the muscle; it is the good heart of the country; but it is not, in any sense, its brain.

## CHAPTER V.

### MARRIAGE.

This is mere moral babble—MILTON, *Comus.*

THE reader of 'Geier-Wally,' if he is at all acquainted with ancient German literature, cannot fail to connect the wrestle of Joseph and Wally in the tavern with that of Gunther and Brunhild in the marriage chamber. The Tyrolese peasantess does not surrender her freedom without a fierce struggle, in the nineteenth century, any more than did the Queen of Gunther in the Nibelungen times. Whoever has attended a village wedding in the Black Forest, and has seen the bride chased by the bridegroom, and knows anything of early civilisation, discerns a relic of the bride-capture of primitive times. The speared bride among the Tartars is proud of her scars, but Tonelli 'with the bitten cheek' in the Schwarzwald resented a recurrence to barbarous practice, and broke with her lover for marking her for life.[1]

Marriage law in Germany has varied capriciously within two centuries, but German opinion was formed by more than ten centuries of national law before it was influenced and disturbed by the introduction by jurists of Roman law. Ecclesiastical marriage, which only late became prevalent, throughout the Middle Ages was a

[1] Auerbach: *Dorfgeschichten*, 1^er^ Band.

matter of conscience rather than of legal obligation. After the Reformation it became compulsory, but in 1873 became again optional, and the Protestant pastors suddenly found that they were no longer called upon by their flock to unite them in the bands of wedlock.

The introduction of civil registration has scarcely affected the marriages in England. In Germany it has produced wholesale desertion of the religious ministration. The board of the Beamter is preferred to the Lord's table. If the Government had not come to the relief of the clergy, who drew a large part of their revenue from marriage fees, they would have been ruined by the change in the law.

It is impossible to understand German ideas on marriage and explain this phenomenon, without a survey of the history of the marriage laws of the Fatherland. Such a survey will show us that, however capricious and changeable laws may be, Teutonic feeling on this important subject moves on steadily within its old banks.

*Verlobung* in Germany is a very different thing from 'engagement' in England. In both countries matrimony is made up of two 'moments,' contract and tradition, *i.e.* engagement (*Verlobung*) and marriage (*Trauung*); but with us, in accordance with Roman law, the last moment is accentuated and contains the essence, whereas among Germans the first is the essential and emphatic transaction.

In entering on the relation in which engagement and marriage stand to one another, it is necessary to define terms. 'Trauung' is not what we mean by betrothal, though the words are etymologically identical. We must translate 'Verlobung' by *Betrothal*, and 'Trauung' by *Marriage*. We do not speak of those actually married as betrothed, nor of those engaged to be married as bride and bride-

groom. Germans do both. After engagement and till marriage, the maid and man are Braut and Bräutigam, and when wedded cease to be thus entitled.

It is curious to notice what confusion there is in terms on the popular tongue. Strictly speaking, betrothal, engagement, Verlobung is the *desponsatio*, *sponsalia*, of the Romans, and *sponsus* and *sponsa* are those promised to one another before they are given to one another. But the English spouse, the French *épouse*, and the Spanish *espose*, are applied after marriage, and not before. So, in Germany, Gemahl, Gemahlin, mean engaged by word,[1] but in common use are applied to those married. In Thuringia to this day the people do not distinguish by word one state from the other. Verlobter and Gemahl are used indiscriminately for betrothed and wedded. Originally, marriage among the Germans was simply the purchase of a woman. Down even till late in the Middle Ages 'ein Weib zu kaufen' was the common expression for getting engaged. But the first laws which have been transmitted to us show that the idea of sale of the woman was gone; another idea had taken its place—that of transfer of authority. A woman was always under ward: the natural holder of the wardship was the father; at marriage he made over this wardship to the husband.

Wardship was called *mundium*, and the guardian was called the *Vormund*. Betrothal was a contract of sale between the guardian and the suitor. The purchase-money was still called legally '*pretium puellæ*,'—the price of the girl—but more generally *Mundschatz* (the value of the mundium) or *Witthum*.

These words must be remembered, as I shall have to use them freely.

[1] From the old verb *mala*, to converse. The German *Maul*, mouth, is from the same root. It is the organ of speech.

But the chief token of a change of opinion regarding marriage is visible in the fact that the Witthum was a fixed sum. It did not fluctuate with the state of the market; it was not any longer the price of the girl, like the price of a slave, to be affected by her beauty or bodily vigour. It was legally fixed for all maids alike; it was not her market value any more, but the theoretical value of the wardship; and the authority exercised by father or husband over daughter or wife must be the same among rich and poor, beautiful and plain.

Among the Salic Franks the mundium was estimated at 62½ *solidi*, among the Ripuarii at 50, among the Alemanni at 40, among the Saxons as high as 300 *solidi*. In case of invasion and injury of authority it had to be compounded for, and the Wehrgeld was precisely the same in amount as the mundium. In early times the woman was never independent, she was always under a Vormund, a perpetual ward. The transfer of guardianship constituted marriage. The maid could no more dispose of herself than could a field, for she was never out of wardship. Consequently no agreement of marriage could legally be contracted with a woman alone. The contract must be made with the guardian. All that was allowed her in the sixth century was the right of veto.

Again, according to German law, no verbal engagement is valid without a real transfer. A compact to sell a field or a cow is no compact unless the price has been paid. The courts refused to allow of rights based on verbal agreement (*conlocutio*, the Lombard *fabula*), though signed and sealed, unless there had been actual transfer. Consequently, the suitor was required to pay over to the legal guardian the price of the mundium, when he made the contract. The girl then and there, at the betrothal, became his property; the rights over her became legally

his, and he might enter on the exercise of them when he chose. If the bride (*sponsa*) died before she was delivered over to him, the guardian returned the money.[1] Breach of promise could not be made actionable unless the mundium had been paid.[2]

But an obvious difficulty arose. The bridegroom had to pay down the mundium some time before entering into possession. He laid out capital without receiving his money's worth. In unsettled times men could not calculate on receiving their bread again after many days when they cast it on the waters. The object of purchase might die or depreciate. Consequently, would-be purchasers buttoned up their pockets, and the market was glutted with marriageable maids. The law was obliged to tolerate a compromise. Prepayment of the mundium was not exacted, and in its place the purchaser paid a handsel, or earnest money (Haftgeld, Draufgeld), the Roman arrha, called by the Lombards Launichild (Lohngeld). At the present day in Germany, if a servant be engaged, Haftgeld is paid, whereupon she is bound to her master: if it is not paid, she can get off her agreement. This is like the half-crown at English statute fairs, and the Queen's money which binds the recruit. This Haftgeld was exacted at a betrothal to clench the bargain; it was generally spent in wine, whence it took the name of Weinkauf, or was given to the church or poor, and so was called the Gottespfennig. But this handsel did not, like the Roman arrha, strengthen a bargain, it clenched the bargain—there was no legal bargain without it. Among

[1] *Edict. Rothar.* c. 215 (ed. Bluhme):—'Si quis puellam aut viduam sponsatam habuerit (*i.e.* betrothed to him) et contigerit casus ut ipsa ante moriatur quàm a patre, aut qui mundium ejus potestatem habet, tradita fuerit, tunc meta (*i.e.* price of mundium) quæ data fuerat ab illo sponso, reddatur ei, tantum quantum in ipsa meta dedit.'

[2] *Lex Wisigoth.* iii. 4, 2. *Lex Burgund.* 62.

the Franks in the fifth century the handsel had already taken the place of the mundium at a betrothal, and was fixed at a sou and a denier. When Clovis asked of Gundebald of Burgundy the hand of his sister and ward Clothild, he sent him by his messengers the requisite sou and denier.

Simultaneously a change was effected in the destination of the Witthum or mundium. This was to be paid when the bride was transferred to the husband's house—*i.e.* when he claimed his purchase. But instead of being paid to the guardian who relinquished his charge, it was held back to be paid, after the death of the husband, to the guardian of the widow for her support in widowhood. It was thought, not without reason, that the fair bride, who was a delight to the husband, might prove a nuisance as widow to a trustee, and therefore the Witthum was left to be paid to compensate him. The mundium of the ninth century had lost its significance as price for the wife, and won that of provision for the widow.

As, therefore, the bridegroom at betrothal (Verlobung) no longer paid over the Witthum or mundium, but only undertook that it should be paid after his death, he was required to make a pledge or *Wette* (wadium, vadica)[1] that he would do so. Wette is a word derived from the same root as Witthum; the verb is *vidan*, to bind. Our English word 'wedding' means a binding, not of the husband to the wife, but of the bridegroom to the guardian; and the betrothal, not the marriage, is the proper wedding. This was so among the Anglo-Saxons from the ninth to the eleventh century, till with the Normans Roman law began to take the place of Saxon law, and upset the relations between betrothal and marriage. In the laws of Alfred and Ethelbert an engagement is called

[1] The English *bet* is the same word.

a wedde, a beweddunge; and the betrothed maid is entitled a wedded woman (beweddodu faêmne).

But, according to German law, no promise is binding without a simultaneous payment or transfer. Consequently, when the bridegroom 'wedded' himself to provide for his widow, he was obliged to fasten his promise by a transfer. This assumed a symbolical form. With each Wette that he made he handed over to the guardian of the maid a straw, stick, arrow, or glove. This fictitious payment is the festuca of Teutonic law. In Weber's opera of 'Euryanthe,' Adolar and Lusiart place their gloves in the hands of the king, as tokens that under a certain eventuality they are prepared to surrender their titles and possessions. Without the festuca of the gloves they could not have been held to their promises.[1] It will be seen that throughout the maiden had nothing to do with the negotiation, which was carried on wholly between the suitor and the Vormund. If she eloped with a man of her choice it was no marriage. The guardian could reclaim her, and the man must pay Wehrgeld—*i.e.* the value of the mundium or right over her he had violated, and also might be punished as a seducer. If the girl remained with him, she forfeited all family rights, and could inherit nothing from her parents.[2]

But under the influence of Christianity the position of the woman improved, and in the Middle Ages the parts of bride and guardian became inverted. The woman assumed prominence, exercised her voice, and asserted her will, and the guardian sank into the background—his

[1] The English word *glove* means a pledge: *geloſa, geloben.*

[2] *Lex Alaman.* ed. Hloth. 54, 1:—'Si quis filiam alterius non sponsatam acceperit sibi ad uxorem, si pater ejus requirit, reddat eam et cum xl. solidis componat eam.'

*Greg. Turon. H. F.* ix. 33:—'Quia sine parentum consilio eam conjugio copulasti, non erit uxor tua.'

voice and will lost importance. Originally the Vormund had contracted her in espousal, and to her was reserved only the power of exercising a veto; now she contracted herself freely, and to the guardian remained only the right of veto. If the veto of the guardian was disregarded, then the woman lost all claim on inheritance through her family.

With this change, however, the form of betrothal remained the same; only the handsel was paid, not to the guardian, but to the bride. It consisted generally of thirteen or three Pfennige—*i.e.* a shilling or twopence with a Pfennig over for the betrothal drink. The ring was in use among the Romans as the arrha, and made its way into Germany, and was often given at betrothal either with or in place of the coin, as clinching the bargain. There was no exchange of rings in those days. One ring was given. Among the lower classes the ring was not so common as the coin. The money was called the Mahlschatz, or agreement money between the Gemahl and Gemahlin. In 1592 the Duke of Mecklenburg struck a special silver coin for use among the peasants as a Mahlschatz, instead of the pierced shillings they were wont to employ. This coin, which was equal to three Sechser, bore on it the inscription, 'Der Seegen des Herrn macht reich, und er giebt es wem er will.' It originated a proverb, 'Three Sechser made an old purchase, or bound a couple for life.'

It has been shown that Verlobung, betrothal, was among the Germans the chief act; Trauung has more ceremony but less importance.

Verlobung in law and usage was the conclusion of the contract; Trauung was merely the transfer of the purchased article to the house of the purchaser. The farmer buys a cow and he fetches it home when he has a stall

in which to accommodate it; but though he has not entered into actual occupation, he is already the owner of it. This was precisely the view of Verlobung taken by the German race. The betrothal is the *desponsatio puellæ*, the marriage is the *traditio puellæ*, the 'gifta' of Anglo-Saxon law, the Norse 'gipta,' the German 'Gabe.'

Trauen is literally the entrusting of the maid to her new lord. 'The husband is his wife's guardian (Vormund),' says the Sachsen-Spiegel, 'to have and to hold as soon as she is married to him (getrüwel).'

In the Trauung, as in the Verlobung, the guardian, father or other, was the person who disposed of the maid, who betrothed and gave her away. He confided her to the troth of the husband. From the necessity of the case, the Trauung was a public ceremony, as it was the transfer of the woman from her father's house to that of her husband. It was attended with certain formalities. As symbols of the authority which passed to the husband, the father handed over to him a sword, a hat, and a mantle—tokens that he was invested with power of life and death, and supremacy over her. The mantle signified the protection under which she had sheltered in her father's home, and which she must now find in her husband's house.

The ring or coin given at betrothal to the Vormund was also then returned, as also the gloves or straws with which the Wette had been confirmed.

According to a Swabian form of the twelfth century, the Trauung was performed by the Vogt or Vormund—the natural guardian—with these words: 'I commend my ward to your faith and favour, and pray you, for the sake of the betrothed whom I now make over to you, to be her right steward (Vogt), her gracious steward, and not to be

a faithless guardian (Vormund) to her.' Thereupon he returns the seven gloves, pledges of seven Wetten made at the betrothal, and gives the symbols of authority—sword, hat, and mantle. Thereupon the maiden looks to her husband as her 'rechter und gnädiger Herr.'

But in course of time this ceremony underwent an alteration precisely as did the betrothal. The woman assumed the place as chief actor, and the guardian's position became less prominent or clearly marked. In the Swabian form quoted, the proper person to perform the marriage ceremony is the natural guardian. But in a Cologne formulary of the fourteenth century, the person to marry the couple is 'Jemand,' any one chosen by the bride to represent her guardian. He is father by a fiction. In the 'Huguenots,' the heroine Valentine is married to Raoul de Nangis in the street of Paris during the massacre of St. Bartholomew, by the old squire Marcello. According to German usage and law, such a marriage was sufficient. Marcello was assumed by fiction to be Valentine's father, and, as such, he performed the transfer.

In the metrical tales of the thirteenth century, the person who solemnises the marriage is the emperor or king, sometimes the host: in Wernher's 'Meier Helmbrecht,' it is any old man 'der solche Dinge kann,' which we may render 'up to doing the job.' In the English Marriage Service we see the trace of the same idea. The priest asks, 'Who giveth this woman in marriage?' and the father or fictitious father signifies that he does.

Originally the church had nothing to do with marriage. Both espousal and marriage were civil acts. When the priest was present at betrothal it was simply as a witness. He had also nothing to do with the actual marriage, or transfer. That was performed by the guardian. *After* the marriage it was customary for the couple to attend

church together; their first appearance at mass was their first appearance in public after their union. In the Nibelungenlied, Gunther and Brunhild, Siegfried and Kriemhild, go to the minster on the morning after their marriage. They make then their first appearance together in public, and are crowned.

In 'Metzenhochzît' we have a graphic picture of a wedding among peasant farmers in the thirteenth or fourteenth century: the scene laid probably in Upper Swabia. Young Bärschi (Bartholomew) loves young Metzi (Mechtild), and they are betrothed. Her parents promise, as her dower, three beehives, a horse, a cow, a calf, and a goat; and Bärschi gives, as Witthum, a yoke of flaxland, two sheep, a cock and fourteen hens, and a pound of pennies.

It is then agreed that they shall be married without 'scholars and parsons,'[1] *i.e.* without religious ceremony, according to old German fashion, and no yielding to new-fangled ideas. Consequently a great feast is prepared, all the neighbours with their wives and daughters are invited, each guest is given a bucket of beer, and 'they sucked and they drank, till their tongues could wag no longer.' Then turnips and bacon are produced, and the guests gorge themselves with 'hands and beards glossy with grease.' Next come sausage and the bridal porridge.

Then follow the flight, chase, and capture of the bride, and she is conducted to the marriage chamber.

As Morgengabe Bärschi gives Metzi a fat porker, and *then*, not till then, the pair go, preceded by the village band of pipers and drummers, to church, where the bridal mass is sung.[2]

It was much the same with another Mechtild in a far higher rank of life, now a saint on the altars of the

[1] 'Ohne Schuoler und Pfaffen.' [2] *Liedersaal*, iii. 399 *sq.*

Catholic Church. Henry I. repudiated his wife Hadburg to marry her. She was the daughter and heiress of Count Dietrich of Ringelheim, and was educated by her grandmother in the convent of Herford. He went to the convent, drew her thence, and conveyed her with all dignity to Walhausen, where he held the bridal banquet. Next morning he gave her the revenues of the town of Walhausen as Morgengabe. In this case the Church was not invited to intervene.

The newly married pair at the first mass were wont to receive the Communion, make an offering, and receive the benediction of the priest. But soon a special mass, 'Missa pro sponsis,' was employed, with appropriate Epistle, Gospel, and Post-communion. Assistance at the mass did not make nor strengthen the marriage; the union was valid and complete in itself without the religious ceremony; but it was felt, and rightly felt, that so serious a step in life as marriage required a special benediction from heaven.

In the Middle Ages the Church attempted a reform of the betrothal. She endeavoured to make that a public and a sacred rite. She required that betrothal should take place before the priest and witnesses, and that at it should be formally announced what Witthum the bridegroom purposed to give, so that there might be no after dispute on this point. But, apparently, the people did not take kindly to this interference, and instead of giving it up, the Church allowed the two ceremonies to be run together, much as in the English morning prayer, matins, and litany, and communion are lumped, though originally intended to be distinct services performed at different hours of the day.[1]

[1] This Friedberg disputes: he contends that the betrothal before the church-door was an attempt by the Church to mar the real Verlobung, so as to divest the private contract of legal right, and to

The betrothal took place as before, as a purely secular ceremony, in the house of the bride, and the Church merely rehearsed and published before the church-door what was already concluded elsewhere. In a Ritual of Rennes of the eleventh century, we find a rubric to this effect: 'The priest shall go before the door of the church in surplice and stole, and ask the bridegroom and bride prudently whether they desire to be legally united; and then *he shall make the parents give her away*, according to the usual custom, and the bridegroom shall fix the dower, announcing before all present what (Witthum) he intends to give the bride. Then the priest shall make him betroth her with a ring, and give her a honorarium of gold or silver according to his means. Then let him give the prescribed benediction. After which, entering into the church, let him begin mass; and let the bridegroom and bride hold lighted candles, and make an oblation at the offertory; and before the Pax let the priest bless them before the altar under a pall or other covering, according to custom, and, lastly, let the bridegroom receive the kiss of peace from the priest and pass it on to his bride.'

We see in this the outline of the Anglican service, which scrupulously follows the mediæval type. The Anglican office is divided into two parts, the first 'in the body of the church,' the second at the altar. The body of the church was substituted for 'before the door' as a concession to the English climate and brides' dresses. The honorarium is not given to the bride, but pocketed by the parson. 'The man shall give unto the woman a ring, laying the same upon the book with the accustomed duty (honorarium) *to the priest and clerk.* And the priest taking the ring shall deliver it (only) to the man,' &c.

run the two parts of marriage together. If so, the Church has wholly failed in effecting this.—Friedberg: *Verlobung u. Trauung.* Leipz. 1876.

It is generally supposed that the parson has the right to give the first kiss to the bride. With other superstitions of Papal times, the mediate kiss through the bridegroom has been abandoned.

But all the first part of the Marriage Service was felt to be a 'vain repetition.' It was unreal. The betrothal had taken place before as a secular act, and the rite at the church-door was an empty echo of a completed transaction. This was seen by the bishops and theologians assembled at the Council of Trent, and they cut off this first part as superfluous, and retained only the Bridal Mass with benediction. The Church abandoned thereby the pretence of uniting the betrothed, and retained her proper function of bestowing divine sanction and blessing on the union already entered upon. The priest had stepped into the place of the anybody 'up to doing the job,' and had acted by fiction as the guardian or father. The Council of Trent displaced him, and restored the marriage to its original form.

By German law, we must again repeat, the betrothal was the completion, but not the conclusion of marriage. It was the completion of the purchase, but not the entering on possession. Betrothal lacked the positive characteristics of marriage. It was not the taking home of the wife, it was not the transfer of complete authority, it was not the entering into possession of her person and property. But, nevertheless, betrothal was invested with matrimonial rights. German laws unanimously declare the indissolubility of the tie. Breach of promise is the same as adultery. Death, by Lombard, Burgundian, and Wisigoth law, was the penalty on the woman attending breach of troth after Verlobung as after Trauung.

By Alemannic law, the man who carried off a wife was condemned to pay eighty solidi, and if he did not restore

her, 400 more. The man who eloped with a betrothed girl had to pay 200 solidi, and if she were not returned to her guardian, 400 more. By Bavarian law, 160 solidi was the Wehrgeld for betrothed as for wife.

When King Theodebert let seven years elapse without fetching home his betrothed, popular indignation was so strong that he was forced to dismiss his concubine and 'take his bride to him as wife.'[1] A Prague statute of 1364 says, 'Those are truly married people (Heirezleute), who have been betrothed (gelubet).'

This view was clean opposed to that proclaimed by Roman law. By this latter, marriage consists in the *consensus nuptialis*, *i.e.* the living together of husband and wife with *maritalis affectio*, intent to regard one another in the light of husband and wife. Marriage is not constituted by any ceremonial act or transfer, but by actual matrimonial union. It follows therefore that by Roman law, espousal or betrothal is a promise (*stipulatio*) at some future time to unite in marriage, but is nothing further. It is the initiation of marriage, but only that.

Canon law in Italy was based on Roman law, and adopted the Roman view of espousals. But when the jurists had to construct canon law to meet the requirements of Cisalpine peoples, they were obliged to accept facts and make the best of them. How to reconcile the two theories of marriage was a constant difficulty. After quoting and discussing certain authorities and cases, Gratian concludes: 'From all these authorities it is clear that the betrothed (*desponsati*) are married (*conjuges*).' But St. Augustine and Leo the Great, knowing only Roman law, had taught that the essence of marriage lay in the union of the parties; and consequently that an imperfect

[1] *Greg. Turon. H. F.* iii. 27.

union was dissoluble. Gratian tried to harmonise these doctrines thus:—

'Sciendum est quod conjugium desponsatione initiatur, commixtione perficitur—unde inter sponsum et sponsam conjugium est, sed initiatum; inter copulatos est conjugium ratum.' In the case of the marriage of Henry VIII. with Catherine of Arragon, there rose a conflict between Roman and Teutonic law. Catherine, according to the latter, had been married to his brother, because she had been betrothed to him, therefore Henry's union with her was incestuous. Gallican and German canon law was on this point in accord with the Teutonic theory. But such was not the Roman doctrine, as there had been only a betrothal and not a perfected marriage with the deceased prince. A Cologne summary of canon law of 1170, speaking of the two doctrines of marriage, says plainly, 'On this question the Gallican and the Transalpine churches disagree.'

The canonists endeavoured to bridge the difference by a curious distinction, purely artificial, between espousals 'de præsente' and 'de futuro;' that is, they asserted that a betrothal in the present tense was a valid marriage and brought it under German law, whereas a betrothal in the future tense was the Roman espousal, and not binding. A Parisian Summa of the twelfth century says, 'The Church of the French teaches differently (from the Roman Church), that if there has been an espousal in the present tense, as "I take you as mine," on both sides, this constitutes a valid marriage. Consequently, though a woman be actually united to another man, she is bound to return to the first.'

The same Summa says further, 'Marriage now-a-days takes place, not according to the (Roman) laws, but according to the Canons.' The Canons call a betrothal a

'full, perfect, and complete' marriage.[1] Luther in his Tract 'Von Ehesachen' (1530), plainly adhered to the Teutonic, popular, and canonical theory. 'However bad a betrothal may be,' he says, 'it is soon settled: no other is permissible, for the betrothal is a true marriage before God and the world;' and further, 'An openly betrothed wench (Dirne) is a wife (Ehefrau), and this public betrothal forms a right honourable marriage. Consequently he (the bridegroom) is certainly a proper husband, and as amongst us it is not fitting that a man should have more than one wife, he has no more power over his body, and cannot take another without committing adultery.'

As may well be supposed, the greatest confusion reigned in social relations. No abuse could arise under the old system hedged round with guarantees. But the hedge had been broken through on all sides, and every guarantee was gone when the maiden was allowed to dispose of herself freely, and fix her fate irrevocably with a 'Ja!' with not a witness by. Here and there, indeed, the Church had attempted to intervene and insist on the betrothal being made before witnesses and blessed by the priest, but such attempts were local and not general. The reader may remember the pretty picture of religious betrothal in Lamartine's 'Geneviève,' where the bride goes to church in a new gown, which she afterwards gives to the Virgin. But the ceremonial of the Church universally was associated with the *Traditio puellæ*, and the espousal was generally left a secular transaction. The result was that, when the guardian became a nonentity, all control over espousals was lost, all control, that is, over the essential transaction. The Church was called to bless an union, but had no means of assuring herself that this union was legitimate—that the persons asking her blessing had

[1] 'Ratum, perfectum, consummatum matrimonium.'

not betrothed themselves secretly to others. As an inevitable consequence, applications for divorce were frequent, on the plea that those married publicly had been previously contracted to others.

Luther thus graphically sketches the confusion:—'It has often fallen out that a married pair came for me, and that one or both had already been secretly betrothed to another: then there was a case of distress and perplexity: and we confessors and theologians were expected to give counsel to those tortured consciences. But how could we? Official right and custom pronounced the first secret betrothal to be a legitimate marriage. So off they went and severed the second marriage, and offered to observe the first betrothal. They had already, may be, ten children in their public married state, and had thrown their property into a common fund. They must, however, part. God grant that the first bridegroom be at hand to acknowledge the claim, but often enough he is already married, and not prepared to cast off his wife to take the applicant to his arms. Moreover, when such a betrothal was secret and confirmed by no witnesses, and the other marriage was public and ratified by the Church, there was a pulling in two directions. First, the woman was obliged, as a matter of conscience, to regard her private betrothal as a true marriage in the sight of God, and yet she was bound by obligations laid on her publicly, and recognised, to associate, night and day, with a man who was not her real husband. No one would believe in the first betrothal, which was known only to God, every one was aware of the other, which had taken place in public. What was a poor conscience to do in such a case?'

Another characteristic passage occurs in Luther's 'Table-Talk.' 'When I was in my cloister many an one came to me, and said, "Dear sir, I have got a wife to whom

I was privately betrothed. What am I to do, dear doctor? help me, lest I despair! Gretel, to whom I betrothed myself, is my true wife (Eheweib). But Barbara, who has since been married to me (vertraut), is not my wife; and yet I am forced to live with her. I may not take Gretel, as I gladly would, for I am wedded to another, and Gretel also has a husband—nobody knowing that she is my very true wife, save God alone. I shall be damned! I do not know how to get out of this hobble." Then comes the Pope with his disciples, the jurists, and says, he must stick to Barbara whom he has taken to wife before all the world, but in his heart of hearts must cleave to Gretel, as his true wife, to whom he was secretly betrothed. So he must not fulfil his marriage obligations to either! He cannot shake off Barbara, who has gone to church with him, and he cannot take his true wife Gretel.'

The Pope and the canonists were not to blame, as Luther tried to make out. The difficulty sprang out of the altered position of woman under laws framed for a different condition of society. The Cisalpine canonists had done what they could to make some practical working theory by which to govern marriage arrangements, which should not run counter to Teutonic and Gallican custom and law; they had failed, but that was because the two doctrines were irreconcilable.

It was absolutely necessary for some order to be introduced into matrimonial connections. Either the betrothal must be declared a valid marriage or not. Common sense would suggest, If it be, then take precautions that it be not abused.

Luther, as we shall see presently, made over the regulation of marriage to the State; but his own opinion was in accordance with Old German law; and the Lutheran Church followed him till the eighteenth century, in treat-

ing betrothal as marriage. The bishops and canonists assembled at the Council of Trent took a different line. Two things had to be reconciled—German custom and Roman custom. Where betrothal was regarded as valid marriage it should take place before witnesses—that seemed a reasonable provision; and to secure that where German views of betrothal prevailed, the nuptial benediction should not be pronounced over the wrong parties, it was requisite that the parish priest should be cognisant of all betrothals. Consequently, the Council of Trent ordered that betrothals should take place before at least three witnesses, of whom the parish priest should be one. If the Roman Church does not now exact his assistance at espousals, it is because, with the general adoption of Roman law, and Roman views of the relations between espousals and marriage, the necessity for the priest witnessing betrothals has passed away. But the Tridentine fathers made another regulation concerning marriage. They reduced the ceremony, as of obligation, to its original form, a benediction of the union. Where the old forms of rehearsing the espousal at the church-door had commended themselves to the people, they were not ruthlessly to be cut away, they were to be tolerated, but not exacted.

The reception of Roman law in Germany created a revolution in the legal doctrine of marriage. Roman law came in with the perruques.

In the seventeenth century Paulus Cypræus argued that the current view of espousals was wrong, that betrothal was not marriage, but a looking forward to marriage, by mutual consent; and that, therefore, a betrothal was dissoluble. He started the ball and others gave it a kick. Theologians and jurists began to distinguish between the *consensus sponsalitius* and the *consensus*

*matrimonialis.* At the close of the seventeenth century the distinction was a favourite theme for the theses of candidates for the doctorial degree. Finally, Puffendorf formulated the Roman law of marriage in his book 'De Jure Naturæ et Gentium,' which became a standard authority. Bœmer took the same line in his work for Protestant ecclesiastical law, 'Jus Ecclesiasticum Protestantium,' and, though pretending to found his doctrine of marriage on natural right, he actually followed Roman law. Bœmer completely revolutionised the received Lutheran views.

The new doctrine was accepted by one State after another, and passed into its legislation. The Lutheran Church woke to suppose the religious ceremony was of essential importance. German popular opinion and tradition suddenly found itself at variance with secular and ecclesiastical law. In the Prussian code stood the novel declaration, 'A valid marriage is effected by priestly ministration.'[1]

The betrothal, which had been slight but strong, like the bond that bound Fenrir, was now transformed into a cord of sand. The word of promise was *vox et præterea nihil.* It mattered not how many engagements had been made before marriage, they were cancelled by the nuptials. Before, betrothals were everything, marriage nothing; now the positions were legally reversed. But popular opinion is of tough texture. It has persisted in considering an engaged couple as bride and bridegroom, in confounding Gemahl with Verlobter, in regarding a breach of promise as a scandal scarce second to a divorce. It allows an intimacy between the betrothed which in England would hardly be allowed; it explains, if it does not excuse, the fact, that so few peasant

[1] *Preussisches Landrecht,* Th. ii. Tit. i. §. 136.

brides have any claim to wear the myrtle wreath; it accounts for some village customs which we do not care to describe. It accounts for the fact that so little disgrace attaches to a girl who is the mother of illegitimate children. She has been betrothed, and, therefore, married in the sight of God and in the opinion of the public, whatever the new-fangled laws may say. Mischievous Malthusian legislation forbade her being taken home by her Gemahl, but no legislation can interfere with her bearing him a family in her father's house. A few years ago I was in the best inn in the pretty village of M., a Protestant village in the Franconian uplands. The landlord's daughter, a fair, modest-looking girl, with honest blue eyes, had her little ones hanging about her skirts, and though unmarried, and one of the first persons in the village, felt no shame in being so seen. She was betrothed, but the *Rath* and *Beamter* forbade the marriage, *i.e.* the taking home of the bride, because the bridegroom could not satisfy them that his finances would support a family.

On February 6, 1875, the Imperial Government carried the following law:—'Marriage is to be concluded in the presence of two witnesses by the betrothed persons severally declaring their agreement, when asked by the proper officer whether they announce their intention of uniting in marriage with one another, and by his thereupon proclaiming that they are legally married.'[1] 'A clergyman or other minister of religion is not to execute this office, nor to act as substitute for the proper officer.'[2]

When the first rocket rushed among the Ashantees, the blacks fell flat on their backs and yelled. The discharge of this law produced a somewhat similar effect among the

[1] Law of Feb. 6, 1875, (*Reichs-Gesetzblatt*, p. 23), 4ter Absch. § 52.
[2] *Ibid*, 1ter Absch. § 3.

Evangelical clergy of Germany. They were for the moment paralysed, and then, from one end of the empire to the other, raised a wail of despair. The opening of the registrar offices in England for civil marriages has not materially diminished the number of ecclesiastical marriages, partly because such civil marriages are facultative, not compulsory, partly because the idea of the necessity of a religious solemnisation as at all events decent is deeply ingrained in the English mind. But in Germany the effect was very different. In 1876, for instance, out of 100 marriages, in Darmstadt 34·5, in Worms 44, in Offenbach 48·6, were performed before the registrar only. Each of these towns has got a certain number of Roman Catholic inhabitants: in Worms one-third, or 5,000 persons, are Catholics: and these, probably without exception, go from the civil bureau to the church for the sacramental blessing of the priest. It is therefore probable that only about half of Protestant marriages in towns are solemnised by the pastor. In the country it is different, where religion has not completely lost its hold on the population.

The new law has placed the Evangelical Church in a position of great difficulty. Luther and the Evangelical Church, as well as the Reformed (Calvinist) Church, repudiated the idea of there being anything sacramental in marriage, any special grace given by the benediction of the pastor. Luther characterised marriage as a purely 'secular matter (weltliches Ding).' Brenz, the Reformer of Würtemberg, declared emphatically, 'The marriage contract, like all other secular contracts, can be solemnised (verrichtet) in town-halls, or any other public, common, convenient, civil buildings or offices.'[1] Luther said: 'So many countries, so

[1] Brenz, in his abhorrence of celibacy and his eagerness to couple everybody, taught that maidenhood (Jungfräulichkeit) was an *unholy estate*—'ein unheiliger Stand.'

many customs, says the proverb; and as matrimony or the marriage state is a secular affair, it is not fitting that we clergy and servants of the Church should order or rule anything concerning it, but leave each country and town to follow its own usages and devices. Some like to lead the bride twice to church, in the evening and in the morning, some once, some announce the marriage by calling the banns two or three weeks before, but all such matters I leave to the princes and town-councils to settle and direct as they see fitting—it is no concern of mine. But if people ask for the church and wish to be blessed and prayed over in the church, or even to be there united, it is our duty to accommodate them.'[1] The Lutheran view is quite intelligible. There is no violent break with German usage. The Reformers did not originate the civil theory of marriage, they fell in with the prevailing conception of it. When they rejected the doctrine of Catholicism, that the sacramental benediction of the priest conveyed divine help to maintain a Christian union in love and purity, and was designed to raise a carnal connection into a sacred bond, they were logically obliged to fall back on the doctrine that marriage is a mere matter of State police. The Reformers therefore taught that marriage needed no religious service to cement it, but that a religious ceremony might be superadded to the civil contract as a concession to old-fashioned prejudice, as a pious usage not to be lightly abandoned because it was of sentimental rather than of actual importance. Luther accordingly drew up two short sketches of services, which have formed the groundwork of all later marriage rites in the Evangelical Church, and which were themselves constructed out

[1] In the Latin version: 'Si vero a nobis petitur, ut desponsatos vel ante vel intra templum copulemus, eis benedicamus aut pro ipsis oremus, hoc sane ipsis officii debemus.'

of the pre-Reformation offices. These pre-Reformation services consisted of two parts—the rehearsal of the betrothing at the door, and then the mass, concluding with the sacramental benediction. Luther laid the whole stress in his formularies on the rehearsed betrothal, cut out the mass, but retained the benediction, as a pious hope and prayer expressed by the pastor that divine blessing might rest on the couple.

But though the Protestant Church solemnised nuptials, it continued to hold that betrothal was true marriage. In a Wittenberg confession of 1597, the separation of those betrothed was forbidden: 'for betrothal is a true, binding marriage concluded between man and woman before God and the world, although the parties may not have been wedded (getraut) and blessed by the priest, as is Christian custom and usage.' In the year 1567 a Lutheran town-council informed the Wittenberg Church Consistory that it had become very customary for those betrothed to live together before they were married, and asked whether it would not be well to interfere and prevent, or punish cohabitation. The Consistory answered in the negative: 'as with betrothal a true marriage is contracted, and persons thus cohabiting are to be treated as truly married.'

The Lutheran theologian Dunte in his 'Casus Conscientiæ,' in 1634, laid down: 'The consent of two contracting persons makes marriage, and the presence of the priest is not necessary.' The Leipzig theological faculty, in 1620, decreed that 'the consent of two contracting parties, *i.e.* of a man and woman, not already married, having pleasure and love in each other, constitutes marriage,' and that ecclesiastical union is a matter not of divine appointment, but of 'human ordinance.'

A curious instance of the application of this doctrine occurs in the transactions of the Rostock courts in the

seventeenth century. A certain Hans Steinmann, citizen of Lübeck, was betrothed to a damsel named Engel, but died, in 1637, before the marriage took place. She thereupon claimed her share of his property as his widow, and her claim was recognised.[1]

When the law on civil marriage was passed, and couples were bound to appear before the registrar, the significance of the Protestant rite was lost. The registrar had joined the couple, consequently the pastor could not do this again without appearing to call in question the validity of the secular marriage. A century and a half ago no trouble or difficulty on this score could have arisen in the Evangelical Church; but the present generation of pastors has been educated under the influence of Bœmer's 'Jus Ecclesiasticum,' and has come to regard marriage by a pastor as essentially constituting Christian marriage as distinguished from concubinage.

Before 1848, obligatory civil marriage existed only in Rhenish Prussia, Rhein-Hessen, and the Bavarian Palatinate, which had fallen under French law. It is curious that at the great Frankfurt National Assembly in that year, where the Catholic representatives were in force, they raised no objection to civil marriage, having learned by experience that it did not interfere with Church practices.

In 1855 facultative civil marriage was introduced into Oldenburg, in 1850 it was made obligatory in Frankfurt-on-Maine, and in 1869 in Baden. Prussian legislation was more hesitating.

In 1831, when divorce was made easy, and showed a

[1] So in 1637; but in 1757, when Roman law had made its way, the Rostock magistrates made a decree reversing previous practice. 'A betrothed person, in the event of the death of the betrothed, may not inherit of the deceased, but the survivor may only wear a mourning dress.'

tendency to become frequent, the pastors took alarm. According to the old Lutheran theory that marriage was a secular contract with which the Church had nothing to do, and might not interfere, the pastors were bound to marry all whom the State allowed to contract unions together. But several pastors held that this was a case not contemplated by Luther, or that it was one for which he did not provide, believing that Scripture was sufficiently explicit on the point. Civil marriage was then not possible, except for Jews; and the case of divorced persons seeking marriage became a burning question. In 1831, a pastor in Pomerania refused his ministrations to bless a union which was a public scandal. In 1833 a similar case occurred in Westphalia, and by 1845 there were as many as twenty-five such cases; of these seven had been refused by Gerlach, a Berlin clergyman. Government did not interfere, as it was found that where one pastor was scrupulous two were less nice. In 1844 appeared a new law regulating divorce, and a royal order of January 30, 1846, required the Church to lay down disciplinary regulations, so as not to leave the refusal of marriage to the discretion of individual pastors, and, in the meantime, to provide a flying squadron of unscrupulous chaplains who might be sent about the country and into the parishes of recalcitrant ministers to hallow these unsavoury unions.

In 1859 the Prussian Government introduced two bills in succession to authorise facultative civil marriage, but both were rejected by the House of Lords.

Shortly before the law of 1875 was signed, the Evangelical Church Governing Council (Oberkirchenrath) of Berlin was summoned by Government to revise the Protestant formulary of marriage so as to remove every word which might be taken to cast a slur on the foregoing

secular union. The Council had issued a provisional office on September 21, 1874. This defined the marriage by the pastor as the exaction from the already wedded couple 'of a vow before God that they will conduct their union till death in a Christian manner and in accordance with the word of God.' The form of joining the betrothed was exscinded, so as to give no occasion to the supposition that the Church regarded them as not united till they came before the altar. No promise to take one another was demanded, but only an undertaking to live together 'in a Christian and orderly manner.' As the preface says, every precaution was taken by elimination and alteration 'to remove the impression that the Church regarded the marriage as one still to be concluded—*i.e.* of appearing to deny the matrimonial authority of the civil act.' The Cassel, Kiel, and Waldeck Consistories adopted an almost identical form. But the Hanoverian Synod of November 1874 would not abandon the form of uniting the couple (Zusammensprechen). The Berlin formulary met with the liveliest opposition from the 'orthodox' party in the Established Church. In September 1875, some six hundred pastors of this party met in conference and formulated their opposition.

But the Government is not prepared to tolerate any ecclesiastical pretensions on the part of the Evangelical clergy any more than on that of the Catholic priesthood. The Hanoverian Lutheran Church has been incorporated in the Prussian Union, and six of its pastors have withdrawn from it rather than use the mutilated marriage rite. In Schleswig-Holstein, in Hesse-Darmstadt, in Baden, there have been similar secessions. In Baden the Oberkirchenrath[1] produced a new liturgy with

[1] The Oberkirchenrath or Governing Council is not in Baden, any more than in Prussia, a representative synod. It consists entirely of

amended marriage formulary in June 1877, quite in conformity with the Prussian service. Rings are still *allowed* to be exchanged, and the pastor joining the hands says: 'Your solemn vows, which you have given each other before God, I, by virtue of my office, accept as an undertaking by you to lead together a Christian wedded life, and so I bless your union in the name,' &c.

If law in Germany has been capricious in the view it has taken of the relations existing between betrothal and matrimony, it has not been less capricious in the way in which it has at one time favoured, at another hindered marriage. In the Middle Ages privileges and advantages were accorded to the married which were denied to bachelors In Hanover, the Palatinate, and Brunswick, the estate of a single man on death reverted to the State. Difficulties arose about the property of priests, and the legal faculty at Halle published a decision that only the property of wilful bachelors was to be confiscated, 'because through wickedness and levity they had despised matrimony.' At Halle only married men as heads of households could enjoy the rights of citizens and the salt privileges. In Brandenburg, law was equally severe on these evaders of the chief duty of man. As late as 1683 the village authorities were required not to harbour young unmarried persons, but to look them up, and, whether citizens or servants, to see that all who had attained the age of twenty were married. In 1722 this law was re-enacted, but the age at which domestic felicity was rammed down men's throats was placed at five-and-twenty. No man was allowed to evade marriage and remain in the land. The bachelor who transgressed his

State nominees—a President, who is a lawyer and Staatsrath, another legal officer, three Kammeralister (managers of the Church finances), and three theologians,—all appointed by the Grand-Duke.

twentieth or five-and-twentieth birthday was arrested, dragged before the Burgmeister and Rath, and ordered to fall in love and marry, at least the latter, within the month, or be cast out of the parish and doomed to vagabondage.

A person of either sex condemned to death was given free pardon and release on receiving an offer of marriage. This custom, which prevailed also in France, has formed the basis of one of Balzac's tales in his foul 'Contes Drôlatiques.' As late as 1725 this law or usage was in force. A woman capitally sentenced for repeated thefts, in Switzerland, obtained her pardon and discharge on a Swabian weaver offering to marry her. His grandfather had in like manner saved a woman from being broken on the wheel, and she had brought a blessing on the house and family. Marriage in German minds was thought to purge away crime.

But at the end of last century Malthus taught that 'men multiplied in geometrical, and provisions in arithmetical progression,' and that the State should therefore check marriages, and, where means were not sufficient to support a family in comfort, to prohibit them. The teaching of Malthus was taken up by a shoal of advocates on the platform and in the press; and the German Governments became uneasy and alarmed at the rapid increase in population. Bavaria, a poor land of mountain, sandy flats, and forest, became most anxious to arrest the growth. Laws were passed throwing every conceivable impediment in the way of marriage, making it a privilege of the rich and an impossibility for the poor. Candidates for hymeneal happiness were required to appear before official Boards and prove that they had fortunes which could dower daughters and set up sons in life. They had not merely to count their chickens before they were hatched, but also to satisfy the village vestry

that they had barley on which to feed and fatten them. How these laws acted, common sense will tell. In 1870, the pastor of the Evangelical German Church at Paris stated that there were in the French capital 10,000 from Darmstadt alone, occupied as street-sweepers, who had fled their country to escape compulsory celibacy. In 1772, men ran away to avoid compulsory marriage. That these laws should enormously raise the per-centage of illegitimate births was not to be wondered at. Bavaria has hardly yet recovered the demoralising effect of Malthusian legislation. The proportion now is 13·70 per cent., the same as in Berlin, but it is declining annually. Prussia alone, of the States of the Bund, placed no impediments in the way of marriage. In Mecklenburg, on the contrary, the Malthusian laws were in full force; the population decreased, and the price of labour rose. After awhile the North German Bund followed the example of Prussia, and later these laws were cancelled everywhere in South Germany.

The law of February 6, 1875, for the whole Empire, makes every man of age to contract a marriage when twenty years old, and every girl at the completion of her sixteenth year; but no man may marry without consent of his guardian (father or otherwise) till he is five-and-twenty, no woman till she is four-and-twenty. There is no Imperial legislation to decide whether marriage contracted without consent of guardians is to be held as valid or not, and this question is answered differently in different States. An union without consent of the parents is not legally void in Hanover, in Kur-Hesse, Nassau, Hamburg, the kingdom of Saxony, Saxe-Gotha, Saxe-Altenburg, and the greater part of Bavaria. But a marriage without consent of parents is absolutely null in Ansbach, Baireuth, Kempten, Kaufbeuren, and Solms.

By the law of 1875, only soldiers and Government officials are not allowed to contract unions without special authorisation. 'All other regulations which have hindered the rights of persons to contract marriage, except such as are defined in this law, *are abolished.*'[1]

We might have supposed that with this 'Morgengabe' of the Imperial Chancellor to United Germany, marriages would have increased. But this has not been the case. There has, on the contrary, been a steady decrease, whilst the population has grown. Whereas, in 1872, there were in Germany 423,900 marriages, with a population of 41,058,780, in 1876 there were only 366,912 marriages, with a population of 42,752,555. In Berlin alone, in one year, there has been a falling off to the number of 2,435.[2]

The decline in number is due partly to the stagnation in trade, but chiefly to universal military service. Every man is now a soldier with the colours from the age of twenty for three years, and then in the Reserve for four years longer. Thus he cannot begin to work for his livelihood till he is twenty-three, and then for four years longer he is hampered with military drill for two months out of the twelve.[3]

What has been given with one hand has been withdrawn with the other. The first and best years of a man's life are taken from him, and it is rarely possible for him now to found a household before he is forty. Universal military service is Malthusian legislation under another form and another name: it is equally ruinous to the welfare of a country. Prosperity is to be found in bury-

[1] 3ter Absch. §. 39. The law forbids unions between blood-relations, between guardians and their wards, between those divorced for adultery and the persons with whom it was committed.

[2] In 1875 there were 14,528, in 1876 only 12,093.

[3] In Westphalia, Hanover, and Schleswig-Holstein, military service is from the 21st to the 29th year.

ing the dragon's teeth that men may spring up, not in rooting men out of the soil and converting them into murderous fangs.

There is one point on which a word must be said before the subject of German marriages is dismissed, viz. the effect on morality of the absence of the religious element in marriage. From the earliest period in Germany, as has been shown, marriage was regarded solely as a civil contract, no more demanding religious sanction than the sale and transfer of a cow. The Roman conception of matrimony was less gross and mercantile. The bond was regarded as sacred, as hallowed by the gods. Throughout the Middle Ages the Church fought hard to place marriage on a better footing, to spiritualise a traffic in flesh. But the resistance on the part of the people was stubborn. In the capitulary of Pepin the Little (A.D. 755) no mention is made of any religious ceremony as requisite for hallowing and confirming a marriage. This the Carlovingians recommended, but did not require. Even so late as 1043, at the marriage of the Emperor, Henry III., the clergy assisted merely as guests and witnesses. In the twelfth century, bishops and councils forbade the performance of the marriage ceremony by laymen. It was not till the thirteenth century that formularies for marriage were introduced and became customary. The Reformation broke out when opinion was in a state of transition. The old view of marriage as a secular transaction held its ground, but side by side with it was growing up an ecclesiastical theory of marriage as a religious union, which treated an unblessed union as concubinage.

It was perhaps inevitable that Luther should adopt the former view; his appeal was to German law, feeling, and tradition against every foreign importation. In the heat of controversy and the intoxication of passion, he did not

sufficiently discriminate between what was good, though un-German, and what was objectionable. When he laid down with his fist, 'Die Ehe gehet die Kirche nichts an, ist ausser derselben, ein zeitlich, weltlich Ding, darumb gehöret sie für die Oberheit,' he summed up the stolid German opposition of two centuries. Since the Reformation till the introduction of Roman law, and the treatise of Puffendorf, Evangelicals (Lutherans), and Reformed (Calvinists) alike regarded marriage as a mere civil transaction.

The Catholic Church received a check in her work of moulding opinion in Germany. She lost her hold over a large part of the empire. But where she retained her grasp, there she never ceased to labour at the remodelling of popular opinion on the matter of marriage. If cast iron be hammered at long enough it will become fibrous and flexible. So it is with the most crystalline public opinion. It has been so with popular notions about marriage in the parts of Germany still Roman Catholic; there they do not differ from those in France or in England. Thus, where two villages adjoin, one Catholic, the other Protestant, we find a strict and a lax opinion side by side.

The inevitable result of the laxity of dealing with marriage by the Protestant Church has been a corresponding laxity of morals. Thus, throughout Germany the statistics of illegitimacy show a much higher rate among the Protestants than among the Catholics.[1] For instance:—

| | | | |
|---|---|---|---|
| Province of Prussia (Prot.) | illegitimate births are | 9·0 | per 100. |
| „ Brandenburg (Prot.) | „ | 10·9 | „ |
| „ Pomerania (Prot.) | „ | 10·0 | „ |
| „ Schleswig-Holstein (Prot.) | „ | 9·6 | „ |
| „ Westphalia (Cath.) | „ | 2·7 | „ |
| „ Rhineland (Cath.) | „ | 3·0 | „ |

[1] From *Statistik des Deutsch. Reichs*, 1876.

So, also, in the towns that can be compared as almost exclusively Catholic or Protestant :—

| | | |
|---|---|---|
| Berlin (Prot.) | illegitimate births are | 13·5 per 100. |
| Magdeburg (Prot.) | „ | 9·6 „ |
| Hanover (Prot.) | „ | 8·9 „ |
| Coblenz (Cath.) | „ | 2·7 „ |
| Aix-la-Chapelle (Cath.) | „ | 2·2 „ |
| Trèves (Cath.) | „ | 2·3 „ |

In Thuringia, where the population is wholly Evangelical, the average of illegitimate births in the towns is 12·0;[1] at Altenburg 14·5, Coburg 12·8, Hildburghausen 10·8, Weimar 8·8.[2]

If marriage be a mere civil contract, then that contract may be dissolved and a fresh one entered into without scandal. This is an obvious deduction, and has been drawn in Germany. The civil board which binds together can dissolve the tie, and dissolve it for the most trivial reasons. Yet the percentage of divorce is not as high as might be expected. The actual number of divorced persons of both sexes in Germany at the census of December 1, 1871, was only 69,794. Out of 10,000 persons over the age of 15 there are in Prussia 30 divorced, in Saxony 37, in Würtemberg 32, in Bavaria 11, and in Baden 10. The reason of the average being no higher is that divorces are almost wholly among the Protestants, and amongst them are confined to the citizen, professional,

[1] At Jena in Thuringia the annual number of illegitimate children is only slightly under that of legitimate children. In the year 1866, there were 156 legitimate births, and 161 illegitimate. In 1871, the legitimate were 145, the illegitimate 115. At Jena is a lying-in-hospital, which helps to make the per-centage 45 per cent. At Freiburg im B. is also one, and there it raises the proportion to 19 per cent. But in this case, though the town is Catholic, the population round it is mixed, Catholic two-thirds and Protestant one-third. I was told there also, that several cases came from Basle.

[2] *Jahrbücher für National. Oekonomie u. Statistik*, 1875.

and noble classes, whereas the peasantry rarely resort to the board for a divorce. It is due also to the fact that the number of those who return themselves as divorced at a census does not represent half of those who have been divorced. As a general rule two-thirds of those who get divorced marry again. Consequently the average for Prussia should be 90 in 10,000, instead of 30. In Transylvania it is said that, among the German Lutherans two out of every three girls who get married are divorced before the end of the year, and that most married women have had three husbands. Mr. Boner says: 'Among the Saxon peasantry a wife or a husband is a thing which may for convenience sake be put aside or changed at pleasure. Divorce is a thing of such every-day occurrence, is decided on so lightly and allowed so easily, that it has become a marked feature—indeed, a component part of—Saxon rural life. A separation of husband and wife after three, four, or even six weeks' marriage is nothing rare or strange; and the woman divorced will often want six or eight months of being sixteen. Among a portion of the Saxons, marriage may almost be said to be a merely temporary arrangement between two contracting parties: very frequently neither expects it to last long, and may have resolved that it shall not. In the village near the Kochel, sixteen marriages took place in one year: at the end of twelve months only six of the contracting parties were still living together. In the place where I write this, there are at this moment eleven bridal pairs intending to celebrate their wedding a fortnight hence. Of these eleven, the schoolmaster observed that there would probably not be many living together by this time next year. The clergyman, too, was of opinion that before long many would come to him with grounds for a separation. 'Divorce is easy, and belongs so intimately to married life, that even

before the wedding it is talked of, and, under certain probable eventualities, looked forward to as consequent on the approaching union. "Try to like him," says the father to the girl, "and if later you find you can't do it, I will have you separated?" In the village where I was staying, five suits for separation were pending: indeed, such cases are always going on. I have talked over this crying evil with the Saxon clergy, and from these have learned how futile the causes generally were. One husband did not believe what his wife had said, and she immediately wanted to be separated, as "she could not live with a man who would not trust her." Another did not eat his dinner with appetite. "Oh," said his wife, "it seems my cooking does not please you, if I cannot satisfy you," &c. The chief cause of complaint of another husband, whose pretty young wife I frequently saw at her father's house, was, that she had washed some linen again after his mother had already washed it, and that was an insult to his mother.' Mr. Boner says of Hungary: 'In a Hungarian town of somewhat more than 4,000 inhabitants, there were pending, in 1862, no less than 171 divorce suits. All these were among the Calvinist population.'[1] In Denmark divorce is much more common than in Germany. From what I have seen and heard I fear that morals are at a terribly low ebb in the peninsula and its islands. Out of 10,000 persons in Germany over 15 years old, 26 are divorced, in Denmark 50; in Hungary 44; in Switzerland (exclusively among the Zuinglians and Calvinists) 47;[2] in Catholic Austria there are only 4·8.[3] At Hamburg, out of the adult population, there are 70 divorced persons out of

[1] C. Boner: *Transylvania, its Products and People.* London, 1865, pp. 483, 496, 503.

[2] The proportion to the Protestant population is 90 out of 10,000.

[3] The statistics are taken from those published by the German Imperial Government in the *Statistik des Deutschen Reichs.*

10,000 remaining unmarried at the census of 1871, in Bremen 38, in Leipzig 48. On the other hand, in the purely Catholic towns, as Trèves, there are only 7, at Cologne 9, at Münster 9. The Statistical Report of the Government, published in 1872, says: 'The connection between the relative proportion of divorced and the religious confessions is unmistakeable. In the specially Evangelical districts divorces are frequent, in the strictly Catholic districts they are rare.'[1] In the Protestant Cantons of Switzerland, especially Vaud, divorce is almost as frequent as among the Saxons in Transylvania. A friend who lived in Vaud has told me how he has sat down at table with a party, four gentlemen with their four wives, each of whom had been the wife of one of the others. They met without the slightest restraint, and as the best of friends. It has not come to this yet in Germany; not, at least, in the South. Divorces are most frequent in the North. In 1877, in a town of South Germany, with a population of 25,000 inhabitants (2,500 Protestants), there were 7 divorces, all either among the Protestants, or in cases of mixed marriages, and 245 marriages; or about 3 per cent. of the marriages end in separation.

Altogether the present condition of morals in Germany

[1] The following extract from Hausner's *Vergleichende Statistik von Europa*, 1865, b. i. p. 179, gives a terrible picture of the moral degradation of the two largest cities of North Germany as compared to others.

| | | | | |
|---|---|---|---|---|
| In Hamburg there is 1 prostitute to | | | 48 | inhabitants, i.e. every 9th girl. |
| Berlin | „ | „ | 62 | „ |
| London | „ | „ | 91 | „ |
| Vienna | „ | „ | 159 | „ |
| Munich | „ | „ | 222 | „ |
| Dresden | „ | „ | 236 | „ |
| Paris | „ | „ | 247 | „ |
| Brussels | „ | „ | 275 | „ |
| Strassburg | „ | „ | 302 | , |

is such as to impress one with the danger of dissociating the idea of marriage from religion. Where passion and temptation are strong, and the tie is regarded as a mere business contract, there passion will have its way, as every new temptation arises. It may be questioned whether it is any gain to virtue or society that the iron rivets of the law should hold together those who have discovered the utter incompatibility of their tempers and habits. But it is a danger to society when the marriage bond is made so easy of rupture, that marriage becomes a joining of hands and down the middle and up again, as in a country-dance, with ever changing partners. The economy of nature demands paramount care to be extended to the protection of the child, and natural religion requires that the sanctity of home will surround and hallow the nursery. But how can that be called a home where the husband and the father are not necessarily one, and that sacred where marriage is treated as a mere civil contract? Divorce laws should be the thorny burrs protecting the child, and preserving a home and training for it. If it were not for children, law and social customs would be sufficient to guarantee order. The foundations of the State are laid in the family, and not in the individual, and the first care of the State should be to hedge round that plural unit. The strength of a country does not lie in its great armies, but in its multitudes of householders, each a rootlet clinging to the soil, and capable of infinite multiplication. We may hesitate whether that nation is advancing in a right direction, and giving great promise of a future, where marriages are steadily on the decline, and divorces are becoming more common and shameless.

## CHAPTER VI.

### WOMEN.

Das ewig Weibliche zieht uns hinan.
Goethe, *Faust*, Part ii.

THE French poet Diderot said once, 'He who would write about women should dip his pen in rainbow-dye and powder his lines with the gold-dust of butterflies' wings.' I venture to think that this does not apply to German women. I am sure that women needing such a material for their description would not deserve description.

Hertha—the earth—was the goddess of the old Teutons. But the earth is fair and fruitful in summer, and rigid and remorseless in winter. So the Germans fabled of two goddesses, the one loving, pitying, motherly; the other hard, repelling, murderous. A peasant woman was sick, and she had a little babe that wailed for the food she could not give it. Then, in the night, there shone a glory in the cottage chamber, and in the midst of the light was a beautiful woman, with golden hair waving about her shoulders, dressed in a robe of varied colours, and with eyes blue as the summer skies. She took the babe from its cradle, and suckled it at her breasts, and then vanished.

It was Frau Gode, the beneficent earth-goddess.

A peasant lad was keeping cows on an alp. Then a strange woman stood before him and said, 'Let me take you to myself.' He was frightened and ran away. But

his master was angry that he had deserted the cows, and sent him back. And when he came to the alp, where the woman had stood, he found only a heap of ironstone and a black pool. He looked into the water, for there was something swimming in it, and he saw an iron head with eye-sockets like deep holes; and he touched it with a stick, and the iron head sank. Presently he went out on the edge of the cliff, and sounded his horn. Then something came rushing towards him from among the pines, and he was ware of the iron head looking over his shoulder, and he heard a voice say, 'None escape me whom I desire:' and two iron arms closed round him, and iron claws gripped him. He was found next morning crushed and broken at the bottom of the cliff.

It was Jarnsaxa, the cruel earth-mother.[1]

The German women are of divine origin, descended from goddesses, and they have carried with them to their last posterity all the warmth of Gode's heart, and some of the iron of Jarnsaxa's head.

The two generations have grown together, and I think there never was a time when there were not in Fatherland representatives of Gode and of Jarnsaxa. Heaven be praised! the daughters of the iron goddess are not all as ferociously disposed as she, the divine blood of Gode throbs in their hearts, they retain only the hardheadedness of their ancestress.

It is, no doubt, because among German women there are some of both races, as in one woman there are opposed individualities, that we find such conflicting testimony concerning them in the age when the curtain is first lifted on their lives. Tacitus says that the Germans esteemed something sacred and prophetic in woman, that they followed her counsels, and exalted her as a goddess;

[1] Hœla is the same cruel goddess under another name.

but, on the other hand, the stern evidence of early laws shows that she was treated as a household animal, bought and sold, let or lent. Her life was given her by the capricious generosity of her father, and when her husband died, she was expected to burn herself on his body, as of no more use in the world.[1]

The first glimpse given us of the German woman by history is not of her as a benign and bending character. She bursts on us as a being, fearful and violent, but heroic. In the year 102 before Christ, Caius Marius rolled back the inundating wave of Teutones on the bloody field of Aix. The routed barbarians were pursued by the Roman soldiers to their camp. 'Then,' says Plutarch, 'the Teutonic women rushed to meet them with swords and cudgels, and flung themselves headlong among pursuers and pursued, uttering hideous and frantic howls; the latter they drove back as cowards, the former they assailed as enemies, mingling with the battle, beating down the swords of the Romans, with their bare hands grasping the bare blades, and with courage, dauntless to the death, allowed themselves to be gashed and hacked to pieces rather than yield.'

Valerius Maximus shows us not only their dauntlessness, but their dignity. The captured Teutonic maidens besought the conqueror to let them enter among the virgins of Vesta, promising to remain untarnished in her service. When their request was refused, rather than submit to the indignities in store for them, in the night they strangled themselves, valuing their honour above their lives.

Next year Marius routed the Cimbri at Vercellæ. When the legionaries drove the invaders over the wall of their

[1] This was in the earliest stage; but exposure of infants remained in Christian times, and was only put down with difficulty.

camp, the Cimbric women, standing in the chariots, robed in black, killed those who fled, one cut down a husband, another a brother, a third a father. Then they cast their children under the wheels of the cars and hoofs of the horses, and, lastly, laid murderous hands on themselves. One was found hung by her own hands to a chariot-pole, with her strangled babes dangling from her ankles.

With the majesty of heroism and great sorrow, the first German woman whose name is known steps forth on the stage of history. Thusnelda[1] was the wife of Hermann (Arminius), the indefatigable opponent of Rome, conqueror of Varus and exterminator of his legions. Her father Siegast, who had an hereditary feud with the Hessian chief, betrayed his daughter, when awaiting her confinement, into the hands of the Romans. Inspired with the spirit of her husband, rather than with that of her father, says Tacitus, her captivity drew from her not a tear or word of lamentation. She brooded in silence on her grief, with hands folded on her bosom and eyes resting on her ripening womb. The news that his beloved wife was torn from him, and about to be carried into slavery, drove Hermann to mad fury. But his attempts to rescue her were unavailing. Thusnelda was taken to Rome, and there she bore Thumelicus. She with her babe and brother, Siegesmund, was forced to grace the triumph of Germanicus, and the traitor Siegast saw his daughter, son, and grandson dragging chains before the chariot of the conqueror of his people. Grief probably put a speedy end to the sorrows of this noble woman. The wrath of Rome against the conqueror of Varus expended itself in converting his son into a common gladiator. If, as is supposed, the beautiful marble statue of a German woman, which adorns the Loggia de' Lanzi at Florence,

[1] Properly Tuiscnhild, the maid of Tuisco.

be a representation of Thusnelda, it will show that the grandeur of soul of the barbarian did not fail to make its impress on the Romans.

In contrast to this tragic female figure, stands the blue-eyed, fair-haired Swabian Bisula, a girl taken in his Alemannic war by Valentinian I., and presented by him to Ausonius. From slave she speedily became the poet's mistress, and he fell in fetters at her feet. Her form is not heroic —it is but that of a sweet German maid, 'but oh!' sighs the infatuated poet, 'by her natural charms she eclipses all the pampered and tricked-up puppets of Rome.'

The ancient Germans prided themselves, like the modern Iroquois, on not yielding to weak emotion. They acted in obedience to their hearts, but sternly repressed every exhibition of tenderness. Parents loved their children, but did not fondle them; husbands loved their wives without, like their descendants, hugging them in public and maundering over their tale of hymeneal happiness. The strong natures of that vigorous age, when once the barriers gave way, burst forth in whirlwinds. Slow distilling tears did not bedew their cheeks, but the flood of sorrow flowed mingled with blood from their eyes, and stained both face and raiment.[1] Men and women alike blushed to yield to light emotion, but not to violent passion. In her sorrow, Brunhild smites her hands together, so that the walls re-echo, and the birds on the roof fly scared away. On hearing the news of Siegfried's death, her bitter laughter shakes the house.[2] The hall rocks at the queen's weeping.[3] The mighty bosom heaves with such tempestuous emotion, that the necklace is burst, and the starry ornaments fly over the floor.[4] The muscles

[1] Wernhold, *Spicileg. Formul.* 1847, p. 31. Grimm: *Andreas and Elene.*

[2] *Sæmund Edda*, 208.

[3] *Gudrun*, 927.

[4] Wernhold, *Spicil.* p. 28.

of Egil work when his son dies, so that his kirtle is rent.[1] Joy at the restitution of his master bursts the iron bands round the heart of the trusty Eckehard.

Anger, hatred, sorrow, and love are wild spirits, and among the Old Germans none would yield to them without a battle; and each, when it possessed man or woman, wrought him up to Berserkir frenzy.

Let me attempt to put together a mosaic picture of the ancestresses of the German people—the prototypes, strongly outlined and harshly coloured, of the women, who, with fainter outline and faded tints, are the daughters, wives, and mothers of modern Germany. The characters are the same, but finer drawn; not scored in charcoal with a burnt stick, but traced with a crowquill, the downstrokes hairs, the upstrokes microscopic.

Races have their special characteristics as well as persons; and these individualising characteristics reappear again and again in their history, modified it may be, but unmistakeable, if only we look for them.

We English are a mixture of many races, and our characteristic is Heterogeneity. Women accentuate the peculiarities of the race to which they belong. Corinthian brass was the melting and flowing together of all the metals in a blazing city. It was a precious and highly esteemed amalgam. Let us flatter ourselves that we are the Corinthian brass of Europe, only let us not forget that we have not the individuality of the Celt, or the Saxon, or the Angle, or the Jute, or the Roman, or the Dane, or the Norman. Each, when melted in, lost its distinguishing features. It is so with our women—they are the most beautiful, shining, precious of amalgams, but they have no organic, original individuality. Look at the whole course of our history, look at the women of the present

[1] *Aigla*, c. 81.

day. They have a little of everything, of the vivacity of the Celt and the domesticity of the Saxon, the adventure of the Dane, and the dignity of the Norman.

It is of all these little mickles that the muckle is made up. The soup is one of many ingredients, but it is not stock. It is not so with the German women: they lack a thousand of those charms which make the Englishwoman the most perfect lady in the world. But they have, what our women have not, an original stamp and an original atomic weight of their own—a thing no compound substance can claim.

In the third century, Aurelian celebrated his victory over the Goths in Hungary and over the Marcomanni; and in his triumphal train strode Gothic maidens taken weapon in hand. Among them was Hunila, whose beauty and wit so captivated the conquerors, that a noble Roman offered her his hand. Claudian (fifth century), in singing the victory of Stilicho over Alaric, mentions an Ostrogothic wife, who urged her husband to war with the words, 'Oh, why have I a man so inert? Happy are the Visigothic wives, for they dress themselves in the spoils of cities, and have Greek maidens as their slaves.'

It was due to the persistency of the Germanic element among the Lombard conquerors of the Italian plains that the history of Paul Warnefried rises so high above the dry records of that age. It is a German national epic, in spite of the Latin garb it wears. It supplies us with many portraits of women, gloomy rather than gay, but portraits showing how great was the individuality and soul power of the Lombard woman, which had raised her from a chattel to a motive power in the household and in the State—a place she had won for herself, in spite of laws traditional through centuries, with her sword and bow—at least, with her hand and tongue.

Far back in the gloom of myth appears the weird Rumetrude, daughter of Tato, whose freakish love of blood led to furious war between the Lombards and the Herulii. On firmer historic ground stands the oft-sung tragic tale of Rosamund, the wife of Alboin. She was daughter of Kunimund, king of the Gepidæ, slain by Alboin in battle. Out of the skull of the old king Alboin had fashioned a goblet. One night at Verona, at a banquet, flushed with pride and wine, the Lombard king brimmed the hideous bowl and presented it to his wife. Rosamund drank, and registered with the draught a vow of vengeance. At her bidding Helmeric, the squire, slew the king as he lay sleeping in the heat of the day; he could not defend himself, for Rosamund had tied his sword to the bed-post.

Woman's nature is gentle and peaceable, but it is like those heaven-reflecting tarns of which folks tell, that if the tiniest pebble be dropped in to ruffle the surface, the depths churn, the sky overhead is overcast with storm, and the lake lashes itself into fury and foam. Passion takes hold of the female heart more readily than that of man. Her heart is more tindery or less protected. Then, with the concentration of all her powers, with no forethought and less restraint, she pursues her object over rock and ravine. Gentleness, pity, shame—all that are most dear and most revered—she tramples under foot, regardless of everything save her one object, and that attained, she totters and falls a wreck. Love, jealousy, revenge, form links in one chain, and many a woman who has yielded herself to the first has been bound and strangled by the others.

Is this overdrawn? Perhaps so, when speaking of compound natures in an artificial state of society; not so of original souls in fresh natural growth.

Of revenge there are or were two sorts, one inferior

and personal, the other the carrying out of rude justice at a period when justice was executed by individuals and not by the State. Such was blood-vengeance; and women had a right to it—felt it a duty laid on them by their love and kinship. King Volsung and all his sons, save Sigmund and a grandchild Sinfiotli, were killed by Siggeir, who had married Signy, the daughter of Volsung. The queen meditates revenge, and excites Sigmund and Sinfiotli to execute it. They come to the palace of Siggeir and are concealed in a corner by Signy. The king's little son, whilst playing, discovers them, and by order of his mother, lest he should betray them, Sigmund and Sinfiotli cut the child to pieces. But the Volsungs are discovered, and are condemned to be buried alive. The mound is raised over a stone chamber, and they are lowered into it. But before the last slab closes the vault, the queen casts in a piece of meat wrapped round with straw. Sigmund, in tearing the flesh, finds it transfixed with his sword. With this he and Sinfiotli dig their way out of the mound and come to the royal hall, where all are asleep. They cast in firebrands, and the smoke and flames arouse the slumberers. 'Know,' cries Sigmund to the king, 'that the Volsungs are not all dead.' Then he bids his sister come forth in peace. Signy refuses. She has accomplished her purpose, has revenged the murder of her father and brothers, but she will, as a true wife, die with her husband. Only she comes forth to give a last kiss to Sigmund and Sinfiotli, and then she plunges back into the flames.

A picture in livelier colours is that of Theodelinda, daughter of the Bavarian king Garibald, whose hand was sought by the fair-haired young Lombard king Authvari. His courtship was a scrap of early romance. Full of desire to judge with his own eyes of his intended bride,

he accompanied his ambassadors in disguise as one of them. When Garibald consented to the marriage, the messengers begged that, as token of acceptance, Theodelinda might give them to drink with her own hands. As she came with the goblet of wine to Authvari, he stroked her cheek and fingers. Theodelinda, red with shame, told her nurse what he had done. The wise woman answered: 'If this man were not the king and your bridegroom, he would not have dared to touch you.' The married life of Theodelinda and Authvari was short, as it lasted but a year; and then the Lombards bade the widowed queen retain her royal prerogative and choose a second husband from among their chiefs. She invited to court Agilulf, Duke of Turin, and when he came, she met him with a cup of wine. The duke knelt to receive it, and respectfully kissed the hand of the queen. She blushed, and smiling said: 'He who could kiss my lips should not be content to kiss my hand:' and she chose him as the successor of Authvari.

A pleasanter picture still is that of Queen Bathild. Archimbold, mayor of the palace in the reign of Dagobert, had bought a Saxon slave-girl. She is thus described by one of her contemporaries:—'Her pious and admirable conversation attracted the admiration of the prince and all his ministers. For she was of a benignant spirit and sober manners, prudent and shy, never scheming evil, never light in talk, or pert in speech, but in all her actions upright. She was of Saxon race; in shape graceful and pleasing, with a bright face and a staid gait, and as such she found favour with the prince, so that he constituted her his cup-bearer, and as such, dealing honestly, she stood often by him, ministering to him. But so far from being lifted up by her position, she showed the utmost humility to her fellow-servants, cheerfully obeying them, ministering reverently to her elders, often taking the

shoes off their feet, scraping and cleaning them, and bringing them their washing water, and mending their clothes also. All this she did without a murmur, with gentle and pious alacrity.' Now it fell out that Archimbold lost his wife, and he looked about for some one to fill her place. His eyes rested with somewhat undue warmth on the modest Saxon girl, and she, fearing his intentions, hid herself among the maids of the kitchen, dishevelled her light hair, begrimed her face, and worked in rags, so that the mayor thought she had gone clean away, and after a while he forgot her and married some one else. Then Bathild shook off her tatters, braided her flaxen hair, washed her sunny face, and shone forth in her accustomed place. But she had fled the mayor to catch the king. How Clovis became attached to her is not recorded, but certain it is that he asked her to be his lawful wife, and to sit by his side on the throne of the Franks. So, at the age of nineteen, in 649, she was married to Clovis II. As queen she exercised a most salutary influence over the mind of her husband, and persuaded him to enact many wholesome laws.

Horace Walpole has said that no woman ever invented a new religion, but that no new religion ever made way without woman's help. Theodelinda was a nursing mother to the Church among the Lombards, Bertha to Christianity among the Anglo-Saxons, and Bathild among the Franks. She exerted herself to the utmost of her power to relieve the necessities of the poor and ameliorate the condition of the serf. After six years of married life Bathild was left a widow and regent for her son. The gentle queen remembered her sorrows as a slave. She forbade the retention or purchase of Christian slaves, and she spent all the money she could spare to redeem children from bondage. She sent ambassadors to all the European courts to an-

nounce that the sale of Franks was strictly forbidden, and that any slave who set foot on French soil should be held from that moment to be free.

Very different was Romilda, the wife of Gisulf, Lombard Duke of Friuli. When Cacan, king of the Avars, invaded the land, slew the duke, and besieged the duchess in Forum-Julii, she was so struck with his good looks that she offered to deliver up the city to him if he would marry her. He agreed, the gates were opened, and he took her to wife for one night. Next day he sent her to be impaled alive, saying: 'The stake is the only husband a traitress merits.'

Her four daughters showed a more noble spirit. To save their honour they stuffed the bosoms of their dresses with decayed flesh of fowls, and the Avars thought the young ladies too odorous to desire to make their near acquaintance.

Gundeberga, wife of King Charoald, proved her fidelity to her husband by an act more forcible and expressive than deserving of imitation. When the noble Adalulf whispered at table his passion in her ear, she turned round with Teutonic leisureliness, and then, as he looked for his answer, abruptly spat in his face.

Radegund was the daughter of a Thuringian prince killed by his own brother Hermannfried. Theodebert and Clothair defeated Hermannfried in a great battle on the Unstrut, and took Erfurt, his capital. Radegund and her brother fell into the hands of Clothair, and he made her his wife, or one of his wives. He murdered her brother in cold blood, and then, unable to endure his infidelity and brutality any longer, she fled to Noyon, where she appealed to St. Medard, the bishop, to release her from the hated union and consecrate her to God. He refused, mindful of the apostolic precept: 'Let not her who is

married seek to be released.' But she burst into the sanctuary, wrapped in the monastic veil, and going to the foot of the altar, charged the bishop: 'If thou delayest to dedicate me, thou fearest man more than God, and He will require my blood at thy hands.' Then he extended his hand and laid it on her head. Clothair, who had found her presence some slight restraint, speedily solaced himself for her absence, and sent her money for the building of a convent. With this she erected the Abbey of St. Cross at Poitiers. There her sorrow over the miseries of her age, which she had vainly attempted to relieve, and its brutality, which she had been powerless to soften, found a vent in elegiac lamentations, which her friend, Venantius Fortunatus, clothed in Latin verse. In his elegy on the ruin of Thuringia, the poet lets the queen say: 'I saw the women carried off into slavery, with bound hands and flying hair, their bare feet dabbled in the blood of their husbands, or treading the corpses of their brothers. All wept, and I wept with them, for the dead, and yet more for the living. When the wind wails, I listen: perchance in the blast will steal by the ghost of one of my dear ones. Where are those I have loved? I ask the wind that whistles, and would that a bird would answer me out of it!'

Mention must be made of two women, two queens—terrible daughters of Jarnsaxa—Fredigund and Brunehild. They were of very different origin and condition, and after a parallel career of fortune ended differently.

Fredigund was the daughter of poor peasants, and at an early period in the train of Audovera, first wife of King Chilperic. She was beautiful and ambitious, bold and unscrupulous, and she attracted the attention, and, before long, awakened the passion, of the king. She pursued her unexpected fortune with ardour and without

hesitation. Queen Audovera was her first obstacle and her first victim; she was repudiated and banished to a convent. But Fredigund's hour was not yet come; for Chilperic married Galswintha, daughter of the Visigoth King Athanagild, whose youngest daughter, Brunehild, had just been united to Sigebert, King of Austrasia, the brother of Chilperic. By Fredigund's orders Galswintha was strangled in her bed, and then Chilperic married her. She and Brunehild were now sisters-in-law, and on Brunehild lay the sacred duty of avenging her sister's murder on the low-born intruder who had stepped over her body to the throne. At her instigation Sigebert took arms against his brother, but emissaries of Fredigund assassinated him in his tent, and Brunehild fell into the hands of her brother-in-law. The right of asylum belonging to the cathedral of Paris saved her life, but she was sent to Rouen. There, at the very time, happened to be Meroveus, son of Chilperic by Audovera. Seeing Brunehild in her beauty and her trouble, he loved her, and Prætextatus, Bishop of Rouen, was thought to have incautiously joined their hands.[1] That sealed the fate of the prince and the prelate. Prætextatus was stabbed in the armpit in church by an assassin commissioned by the queen, and Meroveus, a fugitive, besought a faithful servant to kill him, that he might not fall into the cruel hands of his stepmother. Chilperic had another son by Audovera; he was poignarded and Audovera strangled. But the sum of crimes was not yet complete. In 584 King Chilperic, when returning from the chase, was struck

[1] The charge was brought against him before a Council of Paris, but he stoutly denied having done so, even when the bishops who tried him urged him to confess that he had, to relieve them from their difficulties, as Chilperic and Fredigund were determined to make them condemn Prætextatus, whether guilty or not.—Greg. Turon. (who was present at the Council), *H. Franc.* ix. 39, 42.

two mortal blows by a man who took to rapid flight, and a cry was raised of 'Treason, it is the hand of the Austrasian Childebert.' But the care taken to have the cry raised proved its falsity; it was the hand of Fredigund herself, anxious lest Chilperic should discover a guilty intrigue existing between her and Landri, an officer of her household. Chilperic left a son, named Clothair, a few months old, of whom his mother Fredigund became the sovereign guardian. She spent the last thirteen years of her life in defending him against the enemies she had raised, and endangering him by new plots and crimes. She was a true type of a strong-witted, iron-headed, remorseless woman in barbarous times, her character unredeemed by one trait of womanliness or nobility. She started low down in the scale, and rose very high, without any corresponding elevation of soul. She died quietly in her bed at Paris in 597, leaving the throne of Neustria to her son, Clothair II.

Very superior to her in mental power and greatness of character, but scarcely her inferior in wickedness, was her rival Brunehild—a woman who, in another age, or among other circumstances,—who even perhaps then, but for the fact that Fredigund was her contemporary—would have been a great and good woman, a Duchess Hadwig or a Maria Theresa, instead of an Empress Catharine. She was a princess of the Visigoths, the German race which had most readily assimilated Roman culture, and she came to the Burgundian court, the most barbarous and brutal of all. Venantius Fortunatus, little dreaming what course she would run, saw in the beautiful and modest bride of Sigebert the dawning of a great hope, and sang her praises with enthusiasm, lauding alike her beauty, her goodness, and her wisdom. Brunehild had no occasion for crimes to become a queen; and in spite of those she committed,

and in spite of her outbursts, and the moral irregularities of her long life, she bore, amidst her passions and her power, the stamp of courageous frankness and intellectual nobility, which places her far above the lustful savage who was her rival. Brunehild took a practical interest in all public works, highways, bridges, monuments, and the progress of material civilisation. She cherished the poor flowers of literature which appeared in that rugged soil and under that chilling sky. In the royal domains, and wherever she went, her charities showed that she had a heart which felt for the sorrows and servitude of the poor. But the right of blood revenge fell to her. The murderess of her sister and of her husband must not remain unchastised. Intoxicated with power, pride, above all with hate, she threw herself with female impetuosity and manly determination into the whirlpool of political strife, caring little if she were herself submerged, if only she could first grip and drown her enemies. St. Desiderius, bishop of Vienne, had his brains dashed out by her orders, and for a less reason than the murder of St. Prætextatus by Fredigund. St. Columbanus, the great Irish missionary, who denounced her irregularities, was banished by her from the dear solitude of the Vosges. Brunehild on one side, and Fredigund on the other, fanned to fresh fury the embers of strife, whenever they showed signs of waxing cold. At length the hellish drama closed in 614 with a scene of unparalleled horror. Seventeen years after the death of Fredigund, when Brunehild was eighty years of age, she fell into the hands of the son, as she had once before into those of the husband, of her rival. No sanctuary could save her now. Clothair charged her with having caused the death of ten princes of the Merovingian line. Then, after having her tortured during three days, he had her exposed to the derision of the camp at Châlons,

seated on a camel. Lastly, she was bound by her long white hair, a hand and a foot, to the tail of a wild horse, and was kicked, literally limb from limb, by the furious and frightened animal.

We have seen some instances of the esteem in which Teutonic women held their honour. There were Lucretias and Judiths also among them. The Lombard prince Sigehard fell in love with the beautiful wife of Nannigo, one of his officers. When she indignantly rejected his advances, he sent the husband on an embassy to Africa, and this left the unhappy woman in his power. From the moment of her disgrace the wife laid aside all her gay clothing, and covered herself with rags; she washed and anointed herself no more, and lay on the bare earth. When Nannigo returned, as her welcome, she bade him smite off her head, for his honour was stained. Nannigo sought to comfort her. He raised her, and made her bathe and adorn herself as of old. But the heart of the noble woman was broken, and she never smiled again.[1] A Frank maid was her own avenger. When insulted by a noble, named Amalo, she caught up his sword and smote him a mortal wound on the head. He lived long enough to prevent his servants from falling on her, and King Childebert took her under his protection from the vengeance of the kinsmen of Amalo.[2]

Many touching instances of wifely devotion might be quoted. Bertha, the wife of Gerard of Roussillon, clings to him, though she knows his heart is estranged from her and fixed on another; and when he falls into misfortune, and must secrete himself in wild and desert places, she follows him, comforts him, raises him, and finally rescues him. We have another example in Nanna, wife of the god Baldur. The husband dies through Loki's wiles, and

[1] *Chron. Salitern.* c. 65.

[2] Greg. Turon. *H. F.* ix. 27.

the funeral pyre is raised on a ship, which is sent adrift to sea. But Nanna cannot bear the sight, and her heart breaks. No less devoted is Signy, the wife of Loki. He is condemned to be bound by the entrails of his son to the rock, and Skadi, whose father he had slain, hangs a poisonous serpent above him, so that the venom drops on his face. Signy will not desert him ; she sits ever at his side in the heart of the mountains, catching the venom in a bowl. This lasts till the end of the world. Only when she goes away to empty the bowl does the venom fall on the face of Loki ; and then he writhes in his agony, and the earth quakes.

In the German story of the Nibelungen, Kriemhild is the great example of love stronger than death. From the moment that the beloved husband is found lying before her door, transfixed by Hagen's hand, her only thought and aim is to avenge his death on his murderers. For this she leaves her home on the banks of the green Rhine, marries the Hungarian king, Etzel, and sacrifices the lives of her brothers, husband, son, and followers. When her purpose is accomplished, when with her own hand she has dealt Hagen, bound in a dungeon, his death-wound, then the blow of Hildebrand's sword is a *coup de grâce*. Her object is achieved, and life has no more charms for her.

Like Kriemhild in the German story, so is Brunhild, in the Northern lays, a mighty example of womanly fidelity. Siegfried dissolves the spell which Odin has cast over the headstrong virgin, and he betrothes her to himself. But by enchantment he is made to forget Brunhild as a dream of the night, and he seeks her hand for Günther, whose sister Kriemhild he has married. But in Brunhild's heart the oath is not forgotten, her fidelity is not shaken. With agonising pain she sees the man who belonged to

her by right, happy at the side of another. 'Like ice and snow cold resolves come over her,' and she stirs up Günther to cause the death of Siegfried and his son. With the wolf the cub must perish. The deed is accomplished. When Brunhild hears the piercing cry of Kriemhild, she laughs so loud that the rafters ring. Now the hated rival's joy is dissolved, and done for ever, and now in the nether world Brunhild can be with her betrothed. She stabs herself, and is burned beside him on his pyre, with a sword between them. Such love and fidelity are indeed terrible, but they are great. In spite of man's unfaithfulness, the soul of the woman remains constant, and her very love leads her to destroy the beloved rather than let him enjoy life with another. In death she may be united to him at whose side she could not rest in life. It was a feeling such as this which filled the heart of Ingeborg, daughter of Gudmund of Gläsisfeld, when she tore out the eyes of her lover, lest he should see and admire maidens more beautiful than herself.[1]

In the Norse version of the story of Brunhild we see the Teutonic woman in primeval savagery and grandeur, surrounded with a mythological halo. In the German version of the tale we see Kriemhild—at least in the first part of the tragedy—as the ideal of German womanhood. Kriemhild is indeed German maidenliness impersonified. She is beautiful, pure, gentle,

> As the moon in brightness
> White outshines each star,
> And through clouds its radiance
> Streameth soft and far.

When she first meets Siegfried in the rose-garden at Worms—

> Stepped the fair one gently,
> Like the morning red

[1] *Fornmennir Sögur*, iii. 141.

Breaking o'er the mountains,
Shade and sorrow fled.

Who would dream of the depth of passion and stoutness of purpose in that placid being? When Siegfried becomes her husband, she loves him as her lord and hero. It is her love which fills her with pride, and impels her to resent the slights of Brunhild. Then comes Siegfried's murder, and the transformation of the gentle, sunny Kriemhild into a monster of remorseless, unwomanly ferocity. If Kriemhild be one ideal of the old German world, Gudrun is another, the pattern and prototype of woman, patient and forgiving, therefore unlike Kriemhild; but true to death, and therefore like her too. Kriemhild is, though baptised, a heathen at heart. Gudrun has better learned her catechism. The former is the active, the latter the passive heroine. In quietness and in confidence Gudrun possesses her soul. Carried away from her home and her betrothed, Herwig, she endures the ill-treatment of Gerlind with patience; and no hard usage will make her break her troth and take the Norman prince, Hartmuth. Abased to be a handmaid, washing clothes in the sea waves, her bare feet in the snow, and with but a shift to screen her from the icy blast, she never loses her maidenly dignity, and no insults crush or turn to gall her noble heart. When Herwig comes to the rescue, she steps between the conquerors and the conquered to secure peace and the end of bloodshed, and wins mercy from those flushed with victory for those who have ill-used her.

I think that when we look at some—I may say most—of the sketches given us of the Teutonic woman, and see her, vehement, eating out her heart, consuming herself and others, we may understand how it is that so many mediæval German writers make moderation the chief glory to be sought of German woman, the chief

virtue to be acquired, without which she is a danger to society. Gottfried of Strassburg, the author of the 'Tristan,' sang in the twelfth century:

> Von allen Dingen auf dieser Welt,
> Die je der Sonne Licht erhellt,
> Ist keins so selig wie das Weib
> Das stets ihr Leben und ihren Leib
> Und ihre Sitten dem *Mass* ergiebt."

And Odilo of Cluny thinks the highest word of praise he can say of Adelheid, widow of Lothair and wife of Otto the Great, is that there was, in spite of her cruel usage, her great gifts, her high exaltation, 'moderation in her.'

With one picture more I shall close this gallery.

Hadewig, Duchess of Swabia, widow of Duke Burkhardt, was the most remarkable woman of the tenth century. Above the end of the Lake of Constance, commanding the whole sweep of the Alps from the Algäu to Mont Blanc, rises the volcanic crag of the Hohentwiel, crowned with the ruins of a mighty castle. There sat Hadewig, left a widow in the bloom of her days, ruling Swabians and Alemanni, and reading Ovid and Virgil with the assistance of Ekkehard, a young monk of St. Gall, whom she had borrowed of the abbot to be her instructor. They read and studied together the old poets, but ever with open doors and in the presence of a servant, that the breath of scandal might not mar the intimacy.[1] The lady Hadewig was beautiful as she was learned, but she was self-willed and violent as either. As a child she had been destined to be the wife of the Byzantine, Constantine VI., and had been instructed in Greek by an

[1] That has been reserved for a modern writer, Scheffel, in his *Ekkehart*, an historical romance much belauded. Germany has produced no Walter Scott, so she must glorify a G. P. R. James. *Ekkehart* has much local colour and a strong antiquarian smack, but no merits as a work of fiction.

eunuch sent for the purpose. But she had not acquired Greek graces. When, in a fit of wrath she swore 'By Hadewig's life,' all about her trembled.

Even her poor preceptor Ekkehard shivered in his habit when one day the Duchess ordered a servant 'to have hair and skin beat off'—*i.e.* his hair wrenched out by the roots and his hide flayed with rods—because he had unintentionally neglected a duty. A modern novelist makes the Duchess fall in love with the monk; stern history relates that she had him one day mercilessly horse-whipped. The 'dread lady' Hadewig died at an advanced age in 994. She was no blue-stocking. She loved the Muses, but she ruled like a man, and she led her subjects against the invading Huns and routed them.

I cannot say, I fear, of this chapter, as Florian did of his Pastorals, that there are only sheep there, no wolves. For though there are, and always have been, German women gentle and dumb as sheep, there are, and always have been, I will not say wolves, among them, but very lively kids, jumping hurdles and climbing the face of precipices. Brunhild, Kriemhild, Hadewig, are the true ancestresses of Geier-Wally, Ernestine, and Felicitas of modern romance; of the Rahel, Brachmann, and Daniel Stern of modern reality; of the tempestuous-souled, emancipated women who boil up to the surface of society every day. And Gudrun, Bathild, and Bertha have also their representatives in fiction and in fact; in the Gretchen of Goethe, in Auerbach's Barfüssele, in Kleist's Käthchen von Heilbronn, and in almost every household of Germany —the sunbeam that lightens it, the flower that fills the house with fragrance.

The first age of German history and romance shows us side by side two types of women—two ideals, the one impetuous and undisciplined, the other retiring and

domesticated. The child is father to the man. I pass over the Middle Ages and the Renaissance, the schooling and the coming out of womanhood, to resume my sketches in the modern period, the eighteenth and nineteenth centuries. We shall see that the types remain, though modified and disguised by the circumstances and fashion of the period.

On the very threshold of modern times stands a characteristic figure, Sophia Charlotte, Princess of Brunswick Lüneburg, the second wife of Frederic I., who in 1700 exchanged the Electoral cap of Brandenburg for the Royal crown of Prussia at the price of 10,000 men.[1] As a bride she is described in the 'Mercurgalant' of 1684 as slender, clear-complexioned, and combining the beauties of large blue eyes and a profusion of glossy black hair. Frederic loved pomp and ceremony, was badly educated and ill-shaped, a mixture of shrewdness, selfishness, and meanness. Sophia Charlotte, unable to endure his society, withdrew to Lützelburg, where she kept her simple court, surrounded by men of letters and devoted to the study of philosophy, asking Leibnitz more questions than the *savant* could answer. 'Madame,' said he impatiently one day, 'you want to know the wherefore of every why!'

She spoke French, English, and Italian fluently, knew Latin, and was an accomplished musician. But there was none of the song and sweetness of life in her soul. Her mind was masculine, and only feminine so far that it was uncreative. She well deserved the title of 'the queen philosopher' given her by the people—an honour little to the taste of her orthodox son, Frederic William I., who said of her, 'My mother was a wise woman, but a bad

[1] Whom he sold to the Emperor as mercenaries for the right to call himself a king.

Christian.' A woman without religion is a flower without scent, and if dipped in the paraffin of philosophy acquires pungency, but not fragrance.

Her morals were pure as rock-crystal, and the drops of marital and maternal affection expressed from her were the thawings of an icicle. She died in 1705 with a note of interrogation on her tongue; with philosophic composure addressing her ladies-in-waiting: 'Do not bewail me. I am going now to learn the answer to all my queries into the origin of things which Leibnitz could not give. I am going to solve the mysteries of space and of infinity, of being and of not-being. As for the King my husband, I shall supply him with the opportunity of making a public display of my funeral such as he dearly loves.'

A more genial, and a far grander character, was the great Empress Maria Theresa. Few men or women who have worn crowns have succeeded in exerting such a fascination as this daughter and successor of the last of the Habsburgs. In the spring of her life, nobly built, her dignity of majesty and charm of womanhood combined to turn the scale of her fortune at the most eventful period in her career. France, England, Saxony, and Prussia were combined with Bavaria to reject her claims. The Elector of Cologne acknowledged her only by the title of Archduchess; the Elector Palatine sent her a letter by the common post, superscribed 'To the Archduchess Maria Theresa;' and the King of Spain refused her any other title than Duchess of Tuscany. Her Ministry were timorous, desponding, irresolute, worn out with age, or quelled by the impending dangers. Her only hope lay in Hungary, where but shortly before the sovereignty of the Habsburgs had been established by the effusion of torrents of blood. She flew to Presburg, convoked the magnates, and appeared among them attired in Hungarian costume,

the crown of St. Stephen on her head and his sword at her side. Radiant with beauty and spirit, she addressed the Diet, and called on the nobles as cavaliers to stand by a woman in her jeopardy. The whole assembly, fired with sudden enthusiasm, burst into the unanimous shout, 'Moriamur pro rege nostro Maria Theresa!' and took the field at the head of their serfs, 30,000 cavalry, and the wild hordes of Pandurs and Croats.

There was nothing superficial, frivolous, imperfect, artificial in this splendid woman. She was true to her heart's core, towering in every point but one—sagacity in the choice of Ministers—above that English Queen to whom she has been often likened, Elizabeth. Elizabeth was great because of her Ministers; Maria Theresa was great in herself. Elizabeth was a mixture of meanness in money matters, vanity, and jealousy; Maria Theresa was a great pruner down of expenses. Notwithstanding the loss of Naples and of Silesia, which used to bring in six millions of florins, her skilful administration raised the revenues from thirty to thirty-six millions. She was full of self-respect, but in no way vain; once only did she lower herself, and that was in addressing Madame de Pompadour as her 'dear cousin;' but that was in a moment of urgency, when everything depended on detaching France from the Bavarian cause. With the tenderest love to her faithless husband, she was above the jealousy of woman. When she was leaving the deathbed of Charles VI., she passed his mistress, the Princess of Auersperg, crouching in a corner, neglected by the servants. Maria Theresa stopped, turned, and extending her hand to her said: 'My dear princess, what have not *we* lost this day!'

She was a woman with the most delicate sensibility of a female heart controlled by strong principle; she de-

manded purity of morals from her court and people, and showed a dazzling example of a blameless life in an age of unblushing licentiousness. As regent she was despotic; but her despotism was patriarchal and idyllic. She was pious, but not bigoted; a devout Catholic, but ready to sign the expulsion of the Jesuits from the realm.[1] The warm impulses of her heart broke through the restraints of Spanish formality which had enveloped the court; as when, on her husband's coronation, her clear bell-like voice led the cheers; more remarkably in 1768, when the news reached her of the birth of her first grandson, the child of the Grand-Duke Leopold. The news was brought to her as she was stepping into bed. Instantly, forgetful of her *déshabillé*, she flew through the corridor of the palace into the royal lodge of the court theatre, and leaning over the breasting, communicated the glad tidings to the people in the pit in their own Viennese dialect. 'Der Polde (Leopold) hat ein Bhuaba (Bube), und grad zum Bindband auf mein Hochzeittag!—der ist galant!'[2]

The Princess Amelia of Brunswick married in 1756, at the age of sixteen, to the Duke of Weimar, shall lead us out of the circle of royalty into that of literature. The union was one in which the heart had little share. 'From childhood,' she wrote, 'my lot has been nothing but self-sacrifice. Never was education so little fitted as mine to form one destined to rule others. Those who directed it themselves needed direction; she to whose guidance I was entrusted, was the sport of every passion, subject to innumerable wayward caprices, of which I became the unresisting victim. Unloved by my parents, ever kept in

[1] A copy of her confessions made to a Jesuit priest was sent her from Spain, whither the confessor had forwarded it to the General of his Order. This opened her eyes to the character of the Order.

[2] 'Our Leopold has got a boy on the very anniversary of my marriage, and he is such a beauty!'

the background, I was regarded as the outcast of the family. The sensitive feelings I had received from nature made me keenly alive to this cruel treatment; it often drove me to despair; I became silent, reserved, concentrated, obstinate. I suffered myself to be reproached, insulted, *beaten*, without uttering a word, and still as far as possible persisted in my own course. At length, in my sixteenth year, I was married. In my seventeenth I became a mother. It was the first unmingled joy I had ever known. It seemed to me as though a host of new and varied feelings had sprung to life with my child. My heart became lighter, my ideas clearer; I gained more confidence in myself. In my eighteenth year arrived the greatest epoch in my life. I became a mother for the second time, a widow, and regent of the duchy. I felt my own incapacity, and yet I was compelled to find everything in my own resources. Never have I prayed with deeper and truer devotion than at that moment. I believe I might have become the greatest of saints. When the first excitement was over, I confess, however, that my feelings were those of awakened vanity. Regent, and so young! To rule and command! An inner voice whispered, Beware! I listened, and reason triumphed. Truth and self-love struggled for the mastery, and truth prevailed. Then came war. My brother and nearest relatives were crowned with laurels. My ambition was roused. I, too, longed for praise. Day and night I studied to render myself mistress of my new duties. Then I felt how absolutely I needed a friend in whom I could place entire confidence. Many sought my favour, some by flattery, others by a show of disinterestedness. I seemed to accept all, in the hope of finding among them the pearl of great price. At length I did find it, and I was filled with the joy others experience in lighting on a vast treasure.'

She speedily displayed talents for government which, in a wider sphere of action, might have given her a name in history. The state of the little duchy was lamentable; the treasury was empty, agriculture was neglected, the people were discontented. With the aid of her faithful ministers she succeeded in restoring something like order to the exhausted finances, established schools and charitable asylums, and left untried no means of promoting the general prosperity. Disgusted with the wearisome etiquette to which her youth had been a victim, she banished all that was not absolutely indispensable to the due maintenance of her dignity; while in her love of literature she succeeded in drawing round her a galaxy of genius, which recalled the court of Ferrara in the days of Alfonso.

Into that circle we will now enter, and see what the women were who associated with the great revivers of literature, of poetry, and art.

The rococo period had been one, in Germany as in France, of female degradation. The little courts of Germany had been filled and ruled by mistresses, and the proudest ambition of a lady was to lose her honour to a prince. A fever of French imitation had swept over Germany, and the petty sovereigns, unable to emulate the polish and courtesy of the Gallic court, aped its vices. *Politesse* rendered into German is *gaucherie*. The minuet is danced in sabots. The courts of Berlin, Stuttgart, Dresden, Weimar, and Cassel had striven which could surpass the other in licentiousness. It was the ass of the fable imitating the lapdog. Versailles exhibited the refinement of voluptuousness, these little courts vice in its grossness. In the midst of this degradation the ideal of German womanhood was lost. It had to be recovered by a set of experiments. There was something beautiful, if

unreal, in the glorification of woman by the Minnesingers of the Middle Ages, there was something affected and grotesque in the idealism of the new generation of German poets.

As with the Minnesingers so was it with the poets of the transition. Woman was elevated to a pedestal on which she could not balance herself. They affected platonic affection which showed an inveterate tendency to lapse into *liaisons d'amour*.

They taught that love was eternal and omnipotent, and those who imbibed their teaching found it only to be a freakish elf with the life of a may-fly. They pointed to it as a pharos casting its dazzling beams over the tossing waters of life, and their dupes learned too late that it shone to teach them what to avoid, not what to aim at. Whilst the Duchess was surrounding herself with those who were to cast a blaze of light through the intellectual world, she was creating also a great *cloaca* of moral corruption. With Don Quixote one exclaims: 'Holy Mary! is it possible that the lady duchess should have such drains.'

Let us look at Wieland, whom the Duchess Amalie chose to be the instructor of her son.

When Wieland was seventeen he met at his father's parsonage the beautiful Sophie Gutermann, sent there to recover her heart after an unhappy love-affair with an Italian. Wieland, in all the enthusiasm of youth, and Sophie, with the changeableness of woman, fell madly in love with one another. 'It was an ideal, but a true enchantment in which I lived,' wrote Wieland later, 'and the Sophie I loved so enthusiastically was the ideal of perfection embodied in her form. Nothing is more certain than that if we had not been brought together I should never have been a poet.' They cast themselves on

their knees, pledged their everlasting troth, and sealed the bond with a delirious kiss.

Wieland went thence to Zürich, where he wrote licentious verses; then to Berne, where he fell in love with Julie Bondeli, an enthusiast, who went about preaching the doctrines of Rousseau. He asked her to marry him. 'Tell me,' she inquired, 'will you never love another?' 'Never,' he answered, 'except I find one more beautiful, more unfortunate, and more virtuous.' Julie had the sense to decline such doubtful devotion.

Then he became the guest of Count Stadion at Warthausen. Sophie in the meantime had married M. Laroche. 'Our friendship,' she wrote to the poet, 'need not be broken by this union with another. We shall meet one another in the Land of the Blessed.' At Warthausen they met again. What the meeting must have been we may divine from a description of a second many years later, when he was thirty-eight and she forty-one, which, as a picture of the exaggerated sentimentality of the period, deserves quotation. I must, however, premise that the ecstasies and raptures did not prevent Wieland falling in love with his old love's sister.

'We heard a coach drive up,' writes Jacobi, 'and looked out of the window. It was Wieland; Herr von Laroche ran down the steps, and I after him, to meet him at the door. Wieland was moved and somewhat bewildered. In the meantime the wife of Laroche came down—all at once he saw her—and I noticed him shudder. Then he turned aside, threw his hat impetuously on the ground, and tottered towards Sophie. All this took place with such an extraordinary agitation in all Wieland's features and person, that I felt my nerves shaken. Sophie went to meet her friend with wide expanded arms; but instead of receiving her embrace, he clasped her hands, and bowed to

bury his face in them. Sophie bent with heavenly sweetness over him, and said, in a tone which no clarionette or dubois could equal, "Wieland—Wieland—O yes! it is you! You are ever my dear Wieland!" He, roused by this moving voice, raised himself somewhat, looked into the weeping eyes of his friend, and then let his face sink into her arms. None of us bystanders could refrain from tears; mine streamed down my cheeks; I burst into sobs; I was beyond myself, and to the present moment cannot tell how the scene ended and we managed to find our way back into the room.'

In the end Wieland married, prosaically and respectably enough, one Dorothea Hildebrand, whom he describes in a letter to Gessner as 'an innocent, amiable being, gentle, cheerful, and unspoiled, not very pretty, but quite pretty enough for a worthy man who wants an agreeable housewife.' When Wieland was called to Weimar by the Duchess to undertake the education of her eldest son, Charles Augustus, the young prince was in his sixteenth year. The appointment was not unopposed; it was not difficult to point out passages in his 'Agathon' and 'Musarion' too faithfully reflecting the moral licence of his own life at Zürich. But the Duchess, who, despite the unsullied purity of her own character, was somewhat tainted with the sentimentality and philosophic rationalism of the day, and who held the delusive though plausible theory that no licence of tone, or warmth of colouring, could injure a healthy and high-toned mind, cast these objections to the winds. Not a few attributed the tendency to licentious habits in Charles Augustus, if not to the instructions of his tutor, at least to the perusal of his works.

In 1776 the Duchess resigned the reins of government to her son, then aged eighteen. 'My son,' were her last

words on quitting her little capital, 'I confide to your hands the happiness of your subjects; be it your care, as it has been mine.'

Herder was another of those whom the Princess attracted to Weimar. Like Lessing, he may be regarded as one of the pioneers of German thought. Through Goethe's influence he was named court preacher and superintendent of the schools established by the Duchess at Weimar. He married Maria Cornelia Flachsland. This is her account of their first meeting:—

'Herder preached. I heard the voice of an angel, and soul-words unheard by me before. In the afternoon I saw him, and stammered out my thanks. From that moment our souls were one. Our meeting was God's work. More intimately could not hearts be united than ours. My love was a feeling, a harmony. When I spoke with him for the first time alone no words were necessary; we were one heart, one soul, no separation could divide us.'

Here is one of her love-letters: 'Oh! what art thou doing, blessed, sweetest youth?' (he was then thirty-seven). 'Are you dreaming of me? Do you love me still? Oh, pardon me that I ask! In your last godlike epistle you call me "your girl," and nevertheless I am constrained to ask this question! I live so much in musing on you, that I cannot help this. But away with the doubt, the dream; you are mine, mine, ah! in my heart, eternally mine! Do you hear nothing stirring round you, sweetest of men, not in the moonlight, when by the hour I am alone, and yet with you? Do you hear nothing? not my heart beat to you across space? Does not my angel hover round you, and sigh into your soul the tidings that I am with you? O sympathy, sympathy!' That was in 1775. In 1787 Schiller saw them married, and wrote

to Körner, 'Herder and his wife live in an egoistic solitude, and form together a sort of sacred twinity, from which every earthborn son is excluded. But, as both are proud, both impetuous, this divinity comes to jars within itself. When they are in ill-temper with one another they sulk apart in different stories of the house, and letters pass up and down stairs incessantly, till at last the wife resolves to visit the room of her husband, in her own person. Then she enters reciting from his works the passage: "One who has condescended thus far must be divine, and none can find fault in such." Then the overcome Herder precipitates himself into her arms, and the quarrel is at an end.'

Herder's temper was too uncertain, his sensibility too morbidly keen to permit him to live on good terms with those around him. He was perpetually imagining some offence where none was intended, and lending every word and action an import of which their author probably had never even dreamt. Thus he fell out with Goethe and Schiller, and waged an angry feud with them. Cornelia, like a woman, fanned the strife, like a wife took her husband's side without questioning whether he were right or wrong. To Jacobi Herder wrote, 'My wife is the mainstay, the consolation, the happiness of my life. Even in quick-flying transient thoughts, we are one.'

Goethe, in his 'Sorrows of Werther,' fed the flame of false sentiment which pervaded the literary world. There were sorrowful Werthers everywhere, despairing Lottes, and suicide became fashionable. Heinrich von Kleist was of noble birth but mediocre fortune. Endowed by nature with every element of happiness, he seemed on his entrance into life to have before him a long career of prosperity. But he was filled with the morbid sentimental craze of the day. He broke off an engagement of years

with a young and charming girl, who loved him with her whole heart, and was ready to make all imaginable sacrifices for him, because she would not create a romance out of the marriage his parents were ready to approve, by secretly eloping with him into a wilderness, to dwell a pastoral life in a cabin, instead of marrying him in the open light of day. Wieland and Goethe befriended him, and drew out his rare poetic and dramatic powers. He formed the acquaintance of a young and beautiful woman, Henriette Vogel. Both were passionately fond of music, and both were morbid to the verge of madness. On November 20, 1811, a young man and woman descended from a carriage at the door of a little inn, about a mile from Potsdam, on the banks of a lake formed by the Havel. They supped merrily, passed the night in writing letters, and next morning, after a slight repast, set off for a walk, desiring that coffee should be brought them in the most picturesque part of the valley. They had been absent for a short while when two pistol-shots were heard. The servant who went to seek them found them corpses. Henriette was lying full length at a trunk of an old blasted tree, picturesquely posed, with her hands folded on her bosom; Kleist was kneeling before her: he had shot himself through the brain. The curious part of the story remains to be told. Kleist was not in love with her. She had wrung from him a promise to do what she bid him, and then she proposed this double murder, which he, with a perverse sense of honour, executed according to her wishes and directions.

Louise Caroline Brachmann was another of these sick souls. She was a woman of genius and fine poetic instinct. If her novels did not rise above mediocrity, this was not the case with her verses. At the age of twenty-three, in a morbid fit she flung herself over the banisters of her

father's house, without, however, doing herself a mortal injury. In a craze of poetic passion, when aged forty-three, she eloped with a man some twenty years her junior, and, when she found that her bliss was not equal to what she had been led by her idealism to suppose, she threw herself by night into the river.

Goethe and Schiller were both sons of clever women. The Frau Räthinn Catharina Elizabeth Goethe was one whom princes and princesses were glad to associate with, for her genial wit—a wit which shone out even on her death-bed, when, an invitation to dinner having reached her, she sent back 'her regards, but unfortunately the Frau Räthinn cannot accept it, being forced to die.' Elizabeth Dorothea Schiller, the baker's daughter, was gentle, retiring, and tender; but she, as well as the 'Frau Räthinn,' was able to discern the buds of genius in her child, and devote herself to their development.

Goethe, engaged to Lili (Anna Elizabeth Schönemann), whom he loved, at one time, at all events, passionately, actually fell madly in love with another woman he had never seen, but whose perfections he had conjured up in his brain. This was Augusta, Countess of Stolberg, and for her sake, whom he could not possibly marry, so strict was the line of demarcation dividing nobles from bürger, he broke off his engagement to Lili.

'My dearest,' he writes, 'I will give you no name, for what are the names of friend, sister, beloved, bride, or even a word which would comprehend all these, in comparison with my feelings? I can write no more.' To this he added his silhouette, entreating she would send him hers in return; the receipt of it seems to have filled him with delight. 'How completely is my belief in physiognomy confirmed,' he writes; 'that pure thoughful eye'—traced in gold on black paper—'that sweet firm nose, those

dear lips. Thanks, my love, thanks. Oh! that I could repose in your heart, rest in your eyes.'

At Weimar he loved, not indeed for the first, second, or third time, but with a warmth, a tenderness, and above all, a constancy, which neither the fair, innocent, and trusting Fredrica, nor the bright and graceful Lili, had been able to inspire. And yet the woman to whom was reserved the triumph of fettering for ten long years the heart of one of the most gifted and most inconstant of mortals, was no longer in the early bloom of womanhood; she had attained her thirty-third year, and Goethe was but twenty-eight. Beautiful, in the strict sense of the word, she had never been, but there was mingled grace, sweetness, and dignity in her demeanour, which exercised a singular fascination on all around her. Goethe, the young, the gallant, the admired of all admirers, was at once enthralled by her spell. 'I can only explain,' he writes to Wieland, 'the power she exercises over me by the theory of the transmigration of souls. Yes! we were formerly man and wife. Now, I can find no name for us, for the past, the future.' Unluckily Charlotte von Stein was already the wife of another, the mother of six children. That she returned the passion of her adorer cannot be doubted, but there is reason to believe she never transgressed the strictest bonds of virtue.[1] She was married while yet a girl to a man infinitely her inferior in mental acquirements, and for whom she could have little sympathy or affection. She was thrown, by her position as lady of honour to the Dowager Duchess, into the constant society of the young and brilliant genius, already the day-star of his age and country. Proud, may be, in her conscious virtue, she could not prevail on herself to break an inter-

[1] She got back all her letters to the poet and destroyed them, to save them from becoming public property.

course replete with danger to herself and him, but one which flattered her vanity and charmed her mind. He entreated her to obtain a divorce and come to his arms, but this she constantly refused; and then, in a fit of disgust, Goethe threw himself at the feet of Christiane Vulpius.[1] Who would have imagined it possible that the great poet, living in a world of ideas, peopled by forms of superhuman beauty and ethereal refinement, should be charmed and held by a simple ill-instructed woman with gold-brown hair, fresh cheeks and lively eyes, but essentially *common* in her order of mind and beauty. However, as Lord Lytton says—

> We may live without friends, we may live without books,
> Yet civilised man cannot live without cooks.

And Goethe found, in his old age, when his lively and clever daughter-in-law entered the household, that there was rest for his heated brain on the bosom of the devoted and careful Christiane. The cook and the sylph did not agree. The younger, fair, full of talent, and aristocratic whims, could not endure her mother-in-law, who, despite her good points, was nothing but a first-rate housekeeper, and whose charms consisted in preparing savoury dinners for the great man, and refreshing him, when weary, with good soup and somewhat coarse merriment. Doubtless, a sincere affection glowed in her bosom, but an intellectual companion for the poet and thinker she never could be nor pretended to be. Probably he did not ask it of her. He had had enough of clever women. He found in Christiane that fresh nature, always so delightful to a poet's heart, and he was disgusted with the artificiality of Weimar

[1] As though he had been a prince, he gave her but his left hand when he married her. The marriage took place in 1806, seventeen years after the birth of his son. The young August von Goethe was born on Frau von Stein's birthday—Christmas Day, 1789.

Court ladies. That he really did love her is proved by the fact that he, usually so cold, so composed, was completely overcome as he stood beside her dying bed; that he knelt down, took her hand, and exclaimed with passionate grief, 'You will not leave me,—no, no, you must not leave me.' He was then an old man—most of those who had belonged to his generation had passed away, and despite the homage and flattery that surrounded him, he felt that without that faithful heart he should be alone. With this homage the despised Christiane may rest content.

To Weimar came also Jean Paul Richter, who, in his 'Flower, Fruit, and Thorn Pieces,' has left us so true a picture of the unwholesome striving of his day after an ideal woman, intellectual and angelic, and of its readiness to break a home-spun tie to attain to an union—spiritual, but also gross—with one of these exalted and emancipated souls.

Siebenkäs, advocate of the poor, a needy author, is engaged on the 'Selections from the Devil's Papers'—a series of satires. He is married to Wendeline, a humble, hard-working, simple girl, whom the reader of 'Flower, Fruit, and Thorn Pieces' cannot help loving with all his heart. The poor couple have only two rooms over a baker's; in one room they eat, and he writes, the other is the bedroom, and it opens out of the first. I must condense a scene.

'During the mute quarrel of the preceding days, Siebenkäs had unfortunately, whilst writing, accustomed his ear to listen to Lenette's movements; and every step and noise affected him and killed his hatching ideas, as a loud report will kill a brood of silkworms. At first he kept his feelings under tolerable control; he reflected that his wife must move about, and so long as she was in the body could not handle furniture and glide through the room

noiselessly as a sunbeam. However, on the morning on which they had patched up their difference, he said to his wife, "If possible, Lenette, don't make much noise to-day, it disturbs me in my literary labours." "I thought you could scarcely hear me," she answered, "I move so softly." Woe to Siebenkäs; he had made the request in a foolish moment; now he had laid on himself the task of watching, all the time he was working, to see how Lenette conformed to his wishes. She tripped over the web of her household work with light spider's feet; and Siebenkäs was forced to be very much on the alert to hear her hands or feet; but with an effort he heard, and little that passed escaped his attention, kept now on a strain. When we are not asleep we pay more attention to slight noises than to loud ones; so now ear and soul were awake counting her steps, and working him to such a pitch of irritation, that he jumped up, and cried to his creeping partner, "I have been listening for hours to this muffled pit-a-pat. Put on iron clogs, I should prefer that. Go on as usual, dearest." She obeyed, and went about as much as possible in her usual manner. As he had abolished her loud walk, and her quiet walk, now he longed to do away with her intermediate walk; but no man likes to contradict himself twice in one morning. In the evening, however, he begged her to go about in her stocking soles whilst he was writing.

'Next day he sat in judgment on everything that was going on behind his back, questioning in himself whether it was absolutely necessary for Lenette to do it, or whether she might not have let it alone. He bore it with tolerable fortitude till Wendeline went into the bed-room and swept the straw under the bed with a long broom. Without rising from his seat he called to the domestic sweep in the bed-chamber: "Lenette, pray don't scratch and

scrape with that broom, it prevents my thinking." Lenette now became quiet by degrees. She put away her broom, and only pushed three ears of straw and some flue under the bed with the whisk. Quite beyond his expectations, the editor of 'The Devil's Papers' succeeded in hearing this, whereupon he got up, went to the chamber-door, and called out, "Dearest, the hellish torment is as great as ever, so long as I can hear at all." "I have done now," she answered, and she softly closed the door as he resumed his work. But that was too much: he concluded there was something brewing, so he laid aside his pen and called, "Lenette, I can't hear what you are at, but I know you are doing something. For God's sake let it alone." She answered, with a voice trembling with the violence of her exertions, "Nothing. I am not doing anything." He arose and opened the door of his torture chamber. His wife was rubbing away with a piece of grey flannel, scouring the rails of the bed.'

Siebenkäs goes to Baireuth, where he makes the acquaintance of a Natalie Aquiliana: 'a female figure, clad entirely in black, with a white veil, holding a faded nosegay in her hand,' who, standing before a jet-d'eau, thus for the first time addresses him: 'Whence is it that a fountain raises the spirits and the heart, but that this visible sinking, this dying of the water-streams from above downwards, gives me a feeling of anxiety every time I see it? In life this terrible falling in from above is never made visible to us.' Here was a soul full of sentiment which could moralise over a squirt. Siebenkäs rushes into the wood and meditates on divorcing Lenette. Eventually he plays a cruel trick on his wife: pretends to die, has a wax figure buried in his place, and then flies to find æsthetic happiness by melting his soul into that of Natalie.

Goethe had reversed the experiences of Siebenkäs. He had tried many soaring dream-wrapped Natalies, and had found them intolerable as companions. He found rest for his soul on the simple affection and in the good cooking of a Lenette.' St. Peter of Alcantara lay with his head against a spike to keep him awake, but he was imbecile. Men of active intellects exact of their wives that they should be their mental and material pillows, not domestic goads to sting them to fresh activity. An explosive genius is happier plugged with a cork than matched with a lucifer. Jean Paul himself was too wise to bind himself to either Charlotte von Kalb or Emilie von Berlepsch. When Richter came to Weimar, Frau von Kalb[1] laid herself out to win him. They wrote daily to one another. She was some years older than Richter and had a husband, but at that time *that* was nothing. Her imposing exterior, the fire of her large dark eyes—a fire of mingled genius and voluptuousness—the grace and vigour of her language, the exalted sentiments she gave utterance to, her passionate emotions, that might consume as well as warm, made at once a strong impression on Richter. She was the original of his Linda in the 'Titan.' She had admired his writings before she saw him, and when she made his acquaintance she threw herself at his feet. Genius was god-like, and to a god everything may be granted. She was daily with him, sent him books and newspapers, and procured for him every convenience she could obtain, and introduced him to the whole circle of her friends. A few days after his arrival at Weimar he wrote to Otto: 'She has two great things, great eyes, such as I never saw before, and a great soul. She speaks as Herder writes on humanity. She is strong, full, and her face—I would I could describe it. When she raises her

[1] Ten years before she tried the same game on with Schiller.

heavenly eyelids, it is as though clouds were lifted from the face of the moon. Over thirty times she repeats to me, "You are a wonderful man!"' On leaving Weimar he wrote a little piece, 'Mondfinsterniss,' in which he expressed his feelings on female virtue, and his abhorrence of all but legitimate unions, and sent it to Charlotte. She then showed herself in her true colours. She was saturated with the æsthetic doctrine then fashionable in German cultivated society, that all virtue is from within, and that the external relations of life are of little consequence in a moral point of view. Nature was divine; its voice must be listened to and obeyed. 'Religion,' she wrote, 'is nothing but the unfolding and elevation of all our powers and the direction of our natural instincts. The creature should suffer no restraints. Love obeys no laws.' Richter was shocked, and an estrangement ensued. Frau von Kalb offered to divorce her husband if he would take her, but he declined the doubtful honour. Emilie von Berlepsch, a young widow, was the next to assail him; she met him when his heart was bleeding for his mother's loss, and she took occasion to ingratiate herself into his affections. He wrote to Otto, 'I have found the first female soul that I can completely unite with without weariness, without contrariety; that can improve me while I improve her. She is too noble and perfect to be eulogised with a drop of ink.'

Emilie wrote to him, when they parted, after he left the baths where he had accidentally met her, 'Follow your heart when it speaks for me, for notwithstanding all your sympathy and goodness, there hangs about me a doubt. Do not regard any impediments which may stand between us. What we lose at present eternity can not restore. There is for me only one real, pure joy, and in no future life can there be a higher—the sympathy

of my soul with yours. Ah! as yet we have said nothing to each other. I do not pray you to love me, but to look into the unfathomable heaven you have created in me. If you can admire that, you will never destroy it. Would that I could write to you something more of thought than of feeling! I, who am nine parts reason, and one miserable tenth part heart, forget all logic when, pen in hand, I correspond with you. I become a susceptible girl again when writing to you.' But Richter would not be drawn into the whirlpool. He wrote to his friend from Weimar: 'The Berlepsch is here! I find in her a soul that is not below my ideal, and I should be happy in her friendship, if she would not be *too happy* with me.' He knew that such stormy heroines as Berlepsch and Kalb were never formed as wives for him. He needed a mild and gentle spirit, in whose unselfish love he could find a sanctuary for his heart. Though Emilie was the Natalie of Siebenkäs, he was prepared to reverse his tale, run away from her, and seek a Lenette. He knew intuitively that with a Berlepsch he could have found no repose, with Frau von Kalb no security. Men do not attach themselves to rockets; they prefer to observe them from a distance. Richter married unhappily after all.

The poets and philosophers of the Transition made their own experiences; but in making them they wrought sad mischief with their æsthetic theories. They taught that the perfection of life was found in the pursuit and worship of the beautiful; and religion is but the sentiment of the beautiful. Finely constituted souls can only exist in a state of æsthetics. Such souls have an affinity for each other and naturally combine. The relations of social life are subordinate, and made or unmade according to the 'elective affinities' of these ethereal spirits. Along with this æstheticism went an extravagant, sentimental

expansiveness; in family or friendly unions the freest play was given to the expression of the tenderest emotions. Tears and embraces were so much in vogue that, if two of any company were at all justified in indulging in them, the rest fell on one another's necks from pure sympathetic contagion. In these duels of emotion the seconds were expected to support their principals, and to be as ready with their tears as their ancestors were with their swords. The fashion was not confined to silly people, who had no ideas beyond the circle of their feelings, but infected, as we have seen, the most educated and intellectual classes. And yet, in the midst of these sighs and maunderings, the foundations were laid of that comprehensive culture which is the pride of German thought, and the restoration was begun of the ruined temple of womanliness wrecked by the brutalities of the rococo period. It was an age of classic love of beauty, mediæval sentimentality, and modern rationalism; and the three elements combined, with much spluttering and not a little heat, to form in the end the solid civilisation of the present generation.

Among the Protestant courts and in the circles of the literary, Christianity was regarded as an exhausted belief; what religion was professed was Deism; but it was a Deism without ethic obligations. Men and women alike, when they rejected the dogma of Christianity and the inspiration of Scripture, lost the grounds of a sound morality, and in the cultivation of hysterical sentimentality thought everything was justified which poetry could gloss and passion sublimate. This aberration meets us in Bürger's relations to women. We see there a fever of sentiment, glorified by the might of poetry, and lifted into the sphere of spirituality, regardless of all first principles of sober ethics. Bürger says of his Molly: 'In this costly, heaven-souled being the flower of sensibility

savours so exquisitely that the finest organs of spiritual love can scarce perceive the aroma.' Intoxicated by this aroma, however, he did not hesitate to make Molly his more than spiritual wife, and mother of a son, beside his real wife, her sister Dorette, and to present himself in public with the two sisters as his two wives, and glorify the union as made divine by the Olympian halo which surrounded it. The life of a later poet, Clemens Brentano, one of the Romantic school, tells the same story, but it tells also of woman exercising a benign and healing influence on a torn and ruined life. As student at Jena, he fell in love with Sophie Mereau, a poetess, then thirty years old, wife of one of the professors, and after three years' struggle to overcome their mutual passion, Sophie divorced herself from her husband and flew into the embraces of the young poet. In the third year of her second married life Sophie died, and left Brentano to ramble through the world in quest of another heroic soul, guitar in hand, singing sweet songs, wherewith to charm them. In Frankfurt, at the house of the banker Bethmann, he met Augusta Busmann, an extravagant girl, who concealed a cold and empty heart and a frivolous mind under the veil of phantastic, fiery enthusiasm. She fell desperately in love with the black curls of the poet, and succeeded in entangling him in a romantic intrigue. In cloud and darkness she fled with him from the house of Bethmann to Cassel. Brentano was, in spite of his vagaries, a man of honour, and he married Augusta there; 'but even before the marriage,' writes one of his friends, 'he was convinced that the unintellectual bride would not make him happy—however, he felt it his duty to complete the transaction. Even on the way to church ideas of flight filled his head, and he turned back with the purpose of escape, but his sense of what was due to her made him

abandon the attempt as soon as initiated. He stepped back into the carriage and his obligations. Wonderful things are told us of the wedded life of this young couple. A few days after the marriage she flung the wedding-ring out of the window, and this wounded deeply the sentimental geniality of Brentano's heart. Not less was he vexed when his wife capered down the street with a plume of ostrich feathers on her head and a scarlet flapping horse-cloth thrown over her shoulders.'

Stramberg says, in his 'Antiquarius,' 'Of all the torments which Brentano had to endure, that which most aggravated him was the skill with which she could and would drum with her feet on the foot of the bed whilst playing a pizzicato with her nails on the sheets; this drove Brentano so wild, in his high-strung, nervous condition, that before the year was out he ran away and obtained a divorce.' For some years he wandered over Germany, restless, consumed with the power of his poetic soul, seeking peace and finding none. The years of youth and self-delusion were over. An insuperable contempt for the hollowness and inflated falseness of the social life of the intellectual circle in which he moved and was admired weighed down his soul. The night of a solitary old age threatened. He had tasted what life offers as pleasure, and it had left bitterness on his tongue. He seemed to be, in his own words—

> A wand'ring shadow only, a poor player,
> Who storms and paces for his petty hour,
> Then drops back into nothing—but a ballad
> Sung by a tramp—all clamour, rage,
> But meaning nothing.

Brentano was in this condition of mind when he met Louise Hensel, who transformed his whole life.

'In September 1816,' says a contemporary, 'one

Thursday evening, Clemens Brentano came into a social *réunion* in Berlin, in a house where the noblest in rank and genius of the land were wont to gather. At first there were few persons present; the son of the house and an old friend were engaged in telling a young girl that the distinguished, gifted Clemens Brentano was coming, and would read them something. His wit, his sarcasms, &c., were spoken of, and as the word "gifted" was used very often in describing him, the young lady, who had been listening with the deepest interest, exclaimed: "If he be *gifted* only, and have nothing beside, he may be a man much to be pitied and most miserable." At that moment the poet was at her side, and said, gloomily, "Good evening!" The company were startled. The folding-doors into the adjoining room had been left open, and the floors were carpeted, and lamps turned down. Nobody knew when he had entered, and how much of what had been said had come to his ears. Some feared his wit would repay their remarks with biting sarcasm. Only she who had last spoken seemed undisturbed, thinking that her observation might have been taken as one of general application. She received his salutation without embarrassment, and offered him a seat at her side on the sofa. He looked fixedly and gloomily into her face, and said: 'My God! how like you are to my sister Sophie, whom I have lost!' 'I am glad I am like your sister, and glad also that we shall hear you read. Pray begin.' He read something from his 'Victoria' and from the 'Founding of Prag,' was unusually cheerful, and charmed all the company, and he was made to promise to be at the receptions every Thursday.'

That evening opened a new chapter in Brentano's life. In a long letter he poured out into the bosom of this girl the confession of his misery, of his ruined life. '"In vain"

is the legend written over my whole career, inscribed in fire on my heart and stamped on my brain. All my acts, my thoughts, my scheming, my sufferings, have been in vain. When I was—if not better—at least more innocent, I sought a being like you, to whom I could devote myself, one who might lead me, inspire me. I associated with the ablest men, but they followed their own pursuits; they went their own way and left me standing alone, with the salutation, "God helps those who help themselves?"'

An answer came to this strange epistle, one quite other than he had expected. 'What can it profit you to tell all this to a young girl? You are a Catholic. Seek comfort in your religion.'

This was a word of advice the brother of Bettina, the associate of the most brilliant intellects of Jena and Berlin, had never heard before. He had made many confessions of his misery and of the desolation and despair of his soul, and these confessions had always been introductions to interesting discussions, poetic exchange of letters, metaphysical disputes, sometimes to quick-blazing friendships; but the end of all was nothing. He was left, as before, in the mire. Now he was told plainly, by a woman's lips, that all his gifts were nothing without a *something* else; that genius, poetic exaltation, did not lift into peace of mind, and that without God the most gifted man might find his life a hell.

The advice of Louise was too new for him to adopt it all at once. He had been baptized a Catholic in infancy, and there his relations with the Church and Christianity had ended. He had never been brought under their influence, never dreamed of looking to them for consolation. And now the spoiled, flattered poet was not the man to yield without a struggle. A passion such as he had never known before possessed his heart, and broke

out into those exquisite hymns of pure love, 'An Louisen,' which are immortal. His suit for the hand of Louise was in vain. The young friend would help him to a new life, but not be associated with his passion. Months passed in desperate battle with his heart; and then he sang:—

Schweig, Herz! kein Schrei!
Denn Alles geht vorbei,
*Doch dass ich auferstand*
Und wie ein Irrstern ewig sie umrunde
Ein Geist, den sie gebannt,
*Das hat Bestand.*

Then he took her advice, and a peace, 'such as passeth man's understanding,' came over the stormy soul. The rest of his life was one of happiness—at all events, of rest. If he was foolish enough to chronicle the hysterical twaddle of an Anna Katharina Emmerich, the fault lies in a judgment never naturally strong and wholly uncultivated. It is pleasant to see, after the period of false sentiment, a woman resuming her proper position, as man's comforter and revealer of God.

Let us look at another instance, at the influence of Sophie Schwab on Lenau—that strange, crazy genius, full of force and pathos, but with a mind unhinged, that foamed itself away at last in a mad-house. Sophie Schwab,[1] with gentle solicitude, kept her cool hand on his fevered brow. How beautiful is one of her letters to him. 'Auersperg is indeed a poet, but not like you; in spite of his talents, he does not come near you. I should never have thought of applying to him what I saw the other day on the Danube, and which painfully reminded

[1] Sophie, the wife of Lenau's friend Gustave Schwab. Schurz, in his interesting Life of his brother-in-law, expresses the doubt whether any poet exercised a greater power over women of genius than Lenau. Schurz gives many letters by the poet to Sophie, but not many of hers to him. Sophie's father's country-house was at Penzing, near Vienna. See Schurz: *Lenau's Leben.* Stuttgart, 1855.

me of you. A poor Croat, a pilgrim, was in his little boat on the river. He stood in his vessel in poverty-stricken, sackcloth blouse, sculling purposeless here and there, his gloomy, heavy eyes resting on the flood, regardless of the people on the banks who watched his wondrous course. His hat he must have cast aside—he stood bare-headed in the sun. He had no clothes, no bread, no bottle in his canoe—only one great green wreath, which he had slung on his pilgrim's staff planted in the forepart of the vessel, like an ensign. Was not that the picture of a true poet? *Your* portrait, dear Niembsch.[1] Have you not been swayed about thus in life, in a light boat, on the wild dark stream, with eyes fixed on no shore, with hat thrown away, preserving only your poet's wreath in place of every other earthly good? And when others seek to cover their heads, you have offered your noble, stately head to sun and lightning, snow and storm, surrounded only by the beautiful green, ever-green wreath, which gives no protection. The glossy leaves of the laurel adorn indeed but shelter not—they will not ward off the bluster of these rough days, and therefore you are ill.'

But I must not delay longer to speak of one most remarkable woman, the much admired Rahel. The French Revolution had broken up the 'salon' of old French society, when it had acted such an important, and in some respects, it must be owned, such a fatal part in giving literature its pervading tone. But despite all its sins, and its frivolity, it cannot be denied that the pre-Revolution society in Paris was more brilliant, more agreeable, than that of the present era. The men were more amiable, for their principal business in life was to please; the women more delightful, for they found themselves the central point of

[1] Niembsch (Nicholas) von Strehlenau was his real name: Lenau is the latter half of his Hungarian surname.

attraction, and all their charms of mind and manners were called forth to preserve that ascendancy. In Germany, the salon, in the sense in which it was understood in France, was scarcely known. But the Revolution of 1789, which destroyed for ever—at least in their original form—the salons of Paris, gave birth to those on the other side of the Rhine. Rahel's salon was for a long time the central point of the society of Berlin. She was the wife of Varnhagen von Ense. Mundt calls her a 'thyrsus-swayer of the thoughts of her time,' and it is certain that she exercised an unaccountable witchery over the geniuses of that day. She was wedded to a man fifteen years younger than herself—a man who, if not endowed with talents of the first order, was yet a writer of no mean rank, and this man she inspired to the last moment of her existence with a veneration and devotion rarely paralleled in the history of wedded life. Goethe, of whom, it is true, she was an idolator, returned her homage with respect and esteem. Jean Paul declared 'she was unique in her way, and her letters from Paris worth a dozen volumes of travels.' Humboldt declared of her that 'truth was the distinguishing feature of her intellectual and moral being.' She possessed in the highest degree womanly instinct for what is right and beautiful. Her mind was richly stored, her powers of description great. But the real source of attraction lay in her marvellous power of sympathy. She possessed the rare and invaluable gift of thoroughly identifying herself with those around her, of reading the most secret depths of their hearts, of living in their life, and of participating in the fulness, as if they were her own, of their joys and sorrows. Slight, frail, and delicate, with an extraordinary nervous sensibility, and an imagination vivid almost to morbidness, she was utterly unable to live without love, or without a

friendship which had almost the warmth of love. Her youth had been twice darkened by blighted hopes and affections. The first love had been compelled to yield to family considerations. The second, still more fervent, perished from its own excess, for in such natures the most intense happiness is often withered up by its own ardour. It was in 1802, on recovering from the long illness, the result of this bitter delusion, that Rahel, abjuring love, as she believed for ever, formed the project of assembling a chosen circle, by means of which she might act beneficially on the minds of her countrymen. Her success was greater than she could have anticipated. All the celebrities of the day gathered round her, and her salon became the centre of intellectual culture and activity.

Quite a different character was the elfish, charming Bettina, the sister of Clemens Brentano, married to Achim von Arnim. Bettina's home, by birth and marriage, was in the Romantic school, and her inner mental organisation is traceable in a marked sense to Novalis. Bettina was everything that was delightful in woman in the spring-tide of her beauty, buoyancy, and freakishness. Her playful spirit dances in the sunbeams and over the flowers, casting flashes and prismatic colours about her, like a humming-bird. She entered into familiar epistolary correspondence with Goethe, and her book, 'Goethe's Briefwechsel mit einem Kinde,' an epistolary poem, as it has been often called, is one of the most fascinating works of German literature, a romance spun out of some facts.[1]

Bettina was half Puck, half Ariel. Her delicate susceptibility, her marvellous *rapport* with all nature, with the inexhaustible treasure of her love, and her

[1] 'She was one of those phantasts to whom everything seems permitted. More elf than woman, yet with flashes of genius which light up whole chapters of nonsense, she defies criticism, and puts every verdict at fault.'—G. H. Lewes: *Life of Goethe.*

religious sympathy with everything that can ennoble and hallow mankind, would have made her the greatest poetess of all times, if she had only understood one essential, the mystery of discipline, of restraint, of proportion. With Rahel and Bettina we close this series of sketches of the women who composed part of the literary world of the Transition. With a few bright exceptions, the sketches are not pleasing. Whenever the German woman stepped out of the kitchen, she fell into the sewer. But the fault lay, not in her, but in her preceptors. They exacted of her a life for which she was unsuited. Of all women in creation, the Germans are least able to maintain a healthy activity on moonbeams and the pollen of lilies. It takes three things to fly a kite—the kite, a string, and someone on the earth. One kite will not fly another; if the attempt be made, both come headlong to the ground. When the man is soaring, the woman must keep her feet on the soil; and the only safety for the aspiring genius lies in the maintenance of the bond between them, and their occupying relatively opposed positions.

In the Transition period, the education of woman was one-sided, her sentiment and not her mind was drawn out, the very element in her composition which demands most restraint. Of moral principle there was none. Old things were passed away, and a new order had not come in. Those who surrounded her made her inhale nitrous-oxyde, and lauded her as ethereal if she stood on her head:

> Auf den Füssen geht's nicht mehr,
> Drum gehn wir auf den Köpfen.

She forgot, or was taught to disbelieve, that she was held down by gravitation. She was outside the reach of that attraction. But the extravagance of this doctrine led to a remedy. We find all through that period men raising a

protest, and women living it; and the voice and example of nature and common-sense prevailed. The reaction set in. The ideal of German men now is the good housekeeper. They ask of woman only blue eyes, a bust, and economy; to be like Orlando's mistress,—

> The fair, the chaste, the unexpressive she.

To be without colour is the highest virtue in the woman and the diamond; the husband's wedding present to his bride—his Morgengabe—is invariably a cookery book. He desires her to remember nothing of her school-learning but her table of aliquot parts.

Richter wrote amid the devastation wrought by setting the æsthetic ideal before women, 'A spiritual, and more important, and more murderous revolution than that in the political world is now beating in the heart of the nation.' The men of Germany, whether literary or not, saw this at last, and put a price on the heads of æsthetic women, as Edgar did on the wolves. Reviewers wrote them down, critics cut them up. As children order ladybirds, ladybirds to fly away home, for their house is on fire and their children will burn, so society in Germany ordered emancipated female souls back to the domestic nursery and cuisine. 'Women and gouty legs are best at home.' The days of Faustrecht returned, but the fist was only used against women who broke loose. A literary woman in society caused as much consternation as a bear in an Alpine village. All the population turned out in arms against the common foe. Nobles by feudal law could only be executed with the sword. Noble female souls may be knocked down or skewered with any weapon, a rolling-pin or a dung-fork. Clever men have no more scruple in torturing them with ridicule than cruel boys have in spinning cockchafers.

A neighbouring naturalist introduced a frog into his garden to keep down slugs. Next day his outdoor servant came to him, holding up the reptile by one leg, the life stoned out of it, and said, with his honest face all smiles, 'I fund un on the walks, sir, and I deaded un.' No one who has not lived in Germany can realise the exultation, the pride, with which an authoress who has trodden the paths of literature is held up to general scorn, with a 'Please, sir, I deaded un!' Auerbach, in his 'Auf der Höhe,' has shown the dangers of æstheticism and Platonism, how heads held 'in the heights' are likely not to see the pebbles in the path, and bring about a fall and bruises. In the 'Dorfgeschichten,' the lofty-minded schoolmaster, with highly polished intellect, finds that happiness most pure and cloudless is to be found only in the love of a very simple heart, and that the freshness of ignorance is water to the tongue of abstract thought. In 'Die Frau Professorinn,' the moral is the same. The artist, flattered by the beauty and wit of the salons of the 'Residenz,' neglects his peasant wife, who talks broad Black-Forest, till brought to his senses, and to a right appreciation of her value, by finding how the prince does homage to her 'edeles Herz;' and by the discovery that the unsophisticated woman is the most splendid of the works of nature.

German writers have conspired to disparage in every way female aspirations after a life outside the walls of her house, and to exalt as her ideal the condition of a tame domestic animal. As housewives in Germany keep fowls in hutches by the kitchen fire, where the warmth is conducive to their fattening and egg-productiveness, so have the husbands enclosed their women, and for much the same objects. They will not endure to allow them the run of their gardens, lest they scratch up the best flowers of their invention and busk on their best raked systems.

The poets of the Transition had incautiously, like the fisherman in the Arabian tale, taken the leaden seal of Solomon off the jar, and a spirit had risen out of it, that filled the sky and threatened society. By hook or by crook the spirit must be got into the jar again, and pitched once more into the sea to lie there till the day of doom. For the purpose of laying the emancipated spirit of womanhood, writers have, like Tobit, had recourse to not a little gall. But there is no necessity for continuing the smoke when the fire is banished. It was men who inconsiderately had whipped the quiet souls of women into froth and flummery, and all that was needed was to let them stand to settle to their proper levels.

If it was a mistake to emancipate them a hundred years ago, it is a worse mistake to chain or manacle them now. For the last fifty years, however, men have persistently refused woman a nobler vocation than to haggle over market produce and lard veal like a 'fretful porcupine.' One door only has been left open to her, by which she may escape the kitchen, and that leads upon the stage. There she is allowed to display her talents, for there she is only illustrating the works of men. But even there recognition of her powers has been but grudgingly bestowed. If she has attempted to write dramas, she has had to follow and reflect the passing humours of the people, or see her pieces hissed down. It was this debasing necessity which prevented Birch Pfeiffer from becoming a great dramatist. Public taste refused to be led by a woman, but not to be flattered by her.

In art she has been allowed to do nothing. Angelica Kauffmann had to seek customers in England. If she must paint, let her daub Edelweiss and Alpine roses on men's cigar-cases. In music it is not to be expected that woman will ever make herself a name. Music and archi-

tecture are the two arts which demand a creative power, and creativeness is a masculine prerogative. Woman will execute, but man must design. She has ability rather than intellect. She is mentally as physically conceptive, and her function is not to beget. She may shine in painting, for she can copy, and has a keen selective appreciation, but for music and architecture initiation is required, and that woman has not. In no cosmogony is the creative power fabled to be female, for the general observation of mankind has denied to the feminine mind the gift of originativeness. For the same reason she has fancy, but not imagination, which is the initiation of creation, the first 'moment' in calling of being out of not-being. Her poetry will, therefore, be a mosaic of impressions, a sympathetic reading of nature, a bright play about things of beauty, never the calling into existence of things that were not.

But fancy, ability, and artistic aptitude have been mercilessly denied her during the last half century. Science has been closed to her as well as art. And in literature she has been allowed but little range—to translate from the English and write nursery tales. If she has ventured timorously into other fields, there has been a springing of rattles, a hooting and whooping, and she has had to fly scared to shelter. There has been a want of generosity in the treatment of clever women. Men have killed as ruthlessly the firstlings of her brain as Pharaoh did the first-born of the Hebrews. On the earliest scent of an authoress, critics have sat themselves round the publisher's door like terriers about a rat-hole, waiting to fall on and worry the poor little production when it appears.

My naturalist neighbour, already quoted, had a monkey

and a parrot sent him from the tropics. The one and the other had had their minds opened since they left their native woods. The monkey in the kitchen had learned how to pluck a fowl, and the parrot in the cockpit, on the voyage, had acquired a breadth and freedom of expression neither suitable for society, nor proper to her sex.

One day, free from mistrust and anticipations of evil, like Charity impersonified, their master went for a constitutional, leaving his pets together in the study, the one engaged in cracking nuts, the other in pluming and praising herself. No sooner was the door closed, than the monkey laid hold of the parrot, placed her between his knees, and regardless of screams and objurgations—plucked her clean. On the return of their master, neither monkey nor parrot was visible. Seeing the perch deserted, he called, 'Poll, pretty Poll, where are you, Poll?' Whereupon, from behind the window-curtain, hopped the wretched bird, as naked as her master's hand, and shrieked in tones of mingled mortification, rage, and pain, 'We've had a hell of a time, Sir! a hell of a time!'

The story may be applied with perfect justice to authoresses and their critics in Germany. The latter, with the malice or envy of their tribe—for the most merciless critic is ever the most incompetent author—have been inexorable in their treatment of lady writers. They have ruthlessly riven off their every beauty on which they plumed themselves, and have sent them hopping out into the world, more naked than they came into it. Considering the treatment gifted women in Germany have received during the last fifty years, they are justified in exclaiming with the parrot,—'We've had a hell of a

time, Sir! a hell of a time!' But there is a point below which you cannot compress steam. Women have begun to make their voices heard, and to show that their voices are worth listening to. They are insisting that they have a position to fill in the economy of social life above that of household drudges. They will neither be the toys nor the slaves, but the help-mates of man. The man is incomplete without the woman, and the woman without the man. This is the burden of the cry of the female writers of the present day. Marlitt shows us, in 'Das Geheimniss der alten Mamsell,' her heroine, Felicitas, condemned to kitchen-work and to study her hymn-book, and pictures the burning passion of the growing mind for knowledge and freedom. In 'Die Zweite Frau,' we have a cultivated woman in married life asserting her mental power, and thereby conquering the affection of the man, who married her only to be his housekeeper and governess to his child. But a book of far greater power and pathos than any of Marlitt's is 'Ein Arzt der Seele,' by Frau von Hillern, in which she vindicates the right of woman to be the intellectual associate and complement of man, whilst she rightly repudiates her claim to be his equal.

The women have, in Germany, a very just cause for complaint. Since the first unsuccessful experiment, the men of Germany have excluded them from their society. In their clubs and taverns they spend their leisure, and pour out the wealth of their ideas among their fellow-men, but never in their homes. The women pass their lonely evenings over their knitting, or together, talking of babies. If the men appear at dinner, it is to eat and not to converse, to gobble their food and haste back to congenial society in the *café*. The wife and daughters

are supposed not to look at a newspaper, or have knowledge or interests in anything which occupies the minds of the men. Divorce is the normal condition of married life—the divorce of souls; nay, rather let me say that external marriage never unites the minds, the minds never get further than bowing acquaintanceship.

Both sexes suffer from this estrangement. The elimination of women from society has had a deteriorating effect on men's minds and manners. It is this which causes the rudeness of exterior and coarseness of grit in the constitution of German men—a rudeness and a coarseness painfully ever-present to the observation of a foreigner. And it is this also that makes German women so incapable of using the good material which has been heaped up in their minds by education. The schools for girls are so excellent, and the instruction is so thorough, that a servant-maid in Germany is better grounded than most young ladies in England. But though the education given to women is admirable, they can make no use of it. With much less, English ladies can charm, and attach, and influence men: they may have little learning, but what little they have they know how to use; for they are taught how to use it by constant association with the other sex. In Germany, there is no such association, and therefore no such teaching. Knowledge acquired is not assimilated and never utilised. Finding it valueless, it is got rid of as quickly after marriage as may be. Matrimony is like iodine ointment for the absorption of muscle. It acts on woman as a solvent to all that should give vigour to her character.

There is a dish, much affected in Cornwall, called squab-pie. It is compounded of veal, pork, beef or mutton, potatoes, onions, apples and pilchards, the whole

rolled up in strong dough. Nothing more repellent when raw, nor more toothsome when cooked.

Female education is much like the making of squab-pie. The heads of girls are stuffed with an infinity of ingredients most incongruous, but each excellent in itself. Social intercourse is the great digesting force in life. If 'girls' heads were submitted to this, the result would be quite perfect. But they are not. The German girl is kept at home till she is married. After the wedding the German husband peeps cautiously into his wife's brain, and finding there only crude junks of solid fact, and tenacious dough of pedantry, withdraws his fingers, wipes them, and declines staying for dinner.

German men are like English schoolboys, uncouth and boisterous. It is wonderful what a change a holiday with his mother and sister will produce on the manners of the schoolboy. It is a pity that German men should not submit themselves to be kneaded and rolled into shape and gentility by the tender fingers of their wives and daughters. There can be no sweeter, tenderer refiners in the world than German ladies. They fret out their little lives, because they are denied the right to execute their proper mission. And German men, full of right principle, steady endurance, genius, and power, have in them all the elements of the ideally perfect man. But one thing is lacking. The diamond must be cut, the silver refined. Let them put themselves unreservedly at the feet of their wives and sisters.

The advantage will be mutual. The woman will be strengthened whilst the man is being polished. The intellectual culture of the race has developed the mental powers of women as well as of men. The German woman has far more brain power than the English or French

woman, infinitely more than the Spaniard and Italian; and with the admirable education given her, she is calculated to be man's best associate and confidant and help. Exteriorly the ideal German woman is different from the typical English, Italian, and French woman. The type of nationality appears more prominently in woman than in man, for it is less modified by circumstances than that of the latter. The ideal English face is oval, more or less long, with a tendency in old age to become pear-shaped. The French face is elongated, with the parallel sides from the eye to the jaw long, twice the length of the other sides. The typical German face, as seen in pictures of Gretchen, as met with again and again, is an inverted pear,—great breadth above the eyebrows, not broad and flat, but beautifully arched. An Englishwoman's forehead falls away between the brows and temples, and the temples are not wide apart. The German face is indicative of mental or spiritual power. This is a type, not of physical, but of intellectual beauty. An Englishwoman is lovely, a Frenchwoman charming, but a German woman is angelic. The German girl has not the self-consciousness of the English damsel, the coquetry of the French, the lusciousness of the Italian, the splendour of the Spaniard—she is not, perhaps, lively enough, she is not *espiègle* enough, not dazzling, but she is maidenly modest, simple, and sweet. A German proverb says of the girls of Fatherland: 'Every woman without a ring on the third finger is a witch.' The witchery is that of Isabel in 'Measure for Measure,' and not of Circe.

> Can it be
> That modesty may more betray our sense
> Than woman's lightness?
>
> Act ii. sc. 4.

It is the witchery of a pure heart, great self-diffidence, self-sacrifice, and a rich, ripe mind.

> Ich mag in diesem Hexenheer
> Mich gar zu gern verlieren.[1]

[1] Goethe: *Walpurgisnachtstraum.*

## CHAPTER VII.

### FOREST ROYALTY.

Heil dir, o Platz, der Erholung geweiht,
Buchenumfriedete Einsamkeit!
Ehre und Preis sei dem Bauherrn der Welt,
Der sich als Tempel den Wald hat bestellt.

SCHEFFEL: *Frau Aventiure.*

WHEN, on a hot summer day, we compare the temperature of the soil in a barren sand-flat with that in a corn-field, and lastly with that in a forest, we find that the heat is greatest in the first and least in the last. The sandy waste, the corn-land, and the wood stand at the same height above the sea, but there is the widest divergence between their temperatures. The reason is very obvious. In the first case the action of the sun on the surface of the ground is direct, and the soil attains therefore its maximum heat; in the second case the action is less direct, and is least of all in the forest. In the forest the thick roof of leaves prevents the sun's rays from penetrating, and the upper parts of the trees are first heated. The branches and trunks are bad conductors, so that it is but slowly that the lower strata of air get warmed. As the heat descends it meets with a layer of cold air produced by evaporation, and this produces an incessant movement of atmospheric currents, which, without causing a perceptible draught, gives freshness to the air under the greenwood trees. The cold layer of air which always lies on the

surface of the ground in a forest has a tendency to extend itself to the circumference of the wood, as the air outside is rarified by the intense heat, and then to overflow upon the ground, exposed to the glare of the sun. Consequently the presence of forest land lowers the temperature of the neighbourhood during the heat of the day. It is quite otherwise at night.

On the vegetationless surface the radiation is direct, and the soil chills rapidly. In the wood, on the contrary, the roof of foliage prevents rapid radiation. The warmth gathered during the day is stored up, and given off little by little, like a German stove. Consequently the forest raises the temperature of the neighbourhood during the night.

The forest is the great equaliser of temperature in Nature. What the ocean does for England, that its forests effect for Germany.

We can see now how it is, that in treeless wastes, such as Siberia, the changes of temperature are so rapid, and how that the summer comes in with a glow and fierceness of heat directly after a winter of intense and pungent cold.

In England, surrounded by water, we are independent of this natural regulator, but for German agriculture it is of the greatest importance that it should be preserved.

To take one instance—the vines. A late frost will destroy the crop for the year. It is essential, therefore, that provision should be made to prevent such an occurrence. Nature has provided the requisite moderator of the temperature about the best vine-growing parts,—the Rhine valley, which is hedged in on both sides by tracts of woodland. If these tracts were denuded of trees the Rhine valley would produce no more wines.

Since Germany has lost so much of its forest the

winters have grown colder, and the heat of the summers more insupportable.[1]

Even more important than the influence of the woods on the temperature is their effect on the rainfall, and in maintaining the streams in flow throughout the summer. When the rain falls on the forest, the leaves retain on their surfaces the drops for some time, as long as they can bear the weight, and then gently lean and let the water slowly trickle down. The moisture only very gradually saturates the soil, for it is arrested on its way by the shrubs, the vacciniæ and fern, the flowers and grasses, lastly by the mosses and lichens that cover the ground. When the shower ceases to patter on the leafy canopy overhead, the rustle of falling drops continues in the forest arches below. The tree foliage continues to drip upon the tangled growth beneath, and from brier and whortle the tiny globules are slowly distilled into the thirsty mouths of the earth's pores. It rains in the wood for hours after it has rained upon it. Moreover, the slow transfer of the water to the soil has allowed of much evaporation, and a moist haze surrounds the wood during a shower, and garlands the tree-clad mountain after it has ceased.

Now let us briefly describe the passage of a shower over a district devoid of trees. A perfectly barren land will exhibit the contrast most conspicuously. By the downfall the pores of the earth are choked with mud, so that the water cannot penetrate. The surface is beaten hard, and the moisture, unable to enter, accumulates and flows off. The earth is really like a sponge, ready to drink in a vast amount of rain, but the mouths are very tender and friable, and the least violence breaks the lips in and chokes the little throats. This takes place wherever

[1] See Rentzsch: *Der Wald*, p. 16.

they are unprotected by vegetation. The water that cannot penetrate to slake the thirsty earth runs off down every declivity; and, when the sun bursts forth again, it speedily evaporates the superficial moisture, and in evaporation the earth gives up much of its heat. Under the trees this rapid change cannot take place: every leaf of tree and shrub, and blade of grass, and delicate moss spreads a shield over the soil to ward off the fiery darts of the sun, and allow the earth to enjoy the sweet rain it has imbibed. The water sinks through the cracks of stones, slides down inclined strata, works its way through gravel and sandstone, and finally bursts forth in cold limpid springs.

The woods produce, therefore, slow absorption of water, and also facilitate its percolation and retention in the earth. The preservation of the trees is consequently essential for the maintenance of the springs.

On the Tuniberg, a range of hills on the east bank of the Rhine above Strassburg, the soil is peculiarly rich. As it is broken up into small holdings, every bauer has rooted up or cut down the trees that once covered the hills. The result has been that the once copious springs which supplied the villages at the foot have failed, and the peasants suffer every summer great distress for want of water.

The woods do more. They keep the atmosphere moist. In the forest the evaporation from the soil is slow and constant. The forest is a perpetual fountain of moist air.[1] The importance of this may be judged from the fact that, according to Schleidan,[2] an acre of orchard

[1] The leaves also exhale water. Alexander v. Humboldt says that in the tropical woods of the Orinoco the moisture exhaled by the foliage under a burning sun is so great that it forms a constant dew.

[2] *Die Pflanzen u. ihr Leben*, 2. Ed. p. 211.

requires in the four summer months five million pounds of water. Where this experiment was made, in four summer months there fell only 1,600,000 pounds of rain-water. But only a portion of the rain that fell was used by the plants. There was no doubt a residuum of water in the soil from the winter, autumn, and spring rains. But a great amount, there can be no question, was inhaled by the trees through their leaves. Fruit requires moisture, not only for its roots, but also for its foliage. In a dry atmosphere the fruit will not come to perfection.

In England, with the sea surrounding us, ever sending up vapour ready to condense and fall, we labour under no anxiety about lack of water. Our wells and streams do not often fail. Consequently we are slow to realise how very important a matter it is to those living on a continent to keep their springs in constant flow, and their brooks from becoming mere winter torrents. If the forests of Germany were cleared the country would become a desert.

That woods induce a rainfall is well ascertained. In the province of Choco, south of Panama, is the richest abundance of forest, and the amount of rain that falls is considerable. In Payta are treeless plains; cultivation of the soil is extinct, and for seventeen years not a drop of rain has fallen. The isle of Ascension was once visited by showers. The settlers cut down every tree, and rain then never fell. Fresh plantations have been made, and a sea drizzle has begun to fall about them. When the trees have grown and extended they will bring back the rain.

If the leaves of trees are little screens protecting the soil from the heat of the sun, they are screens also breaking the force of the wind. I have been in a raging gale on the north-coast of Devon, blowing off the sea, and have com-

pared the force of wind there with that thirty miles inland. The gale that on the coast tore off a barn roof, was blunted and spent when it reached Dartmoor. Along its road were myriads of oak-trees, rolling hills covered with timber and coppice, and every tree had held up a myriad of little jagged shields, and stopped the way with bristling twigs, and on this diminutive armour the power of the storm was spent.

The traveller from Calais to St. Omer must have noticed, at the distance of about three miles from the sea, a low range of hill, about sixty feet above the plain, extending parallel to the coast, as far as the eye can reach, clothed with firs and oaks. The strip of rising ground and wood is not above six hundred yards wide, but it marks off most conspicuously the land on one side of it from that on the other. From this belt inland, are fields and fruit-trees, the former waving with rich crops, the latter laden with ruddy apples. A few strides take us through the wood, and expose to view a tract of desolation, rank grass, no trees, glaring sand-flats, and beyond, the dark blue sea. On this Calais coast the wonderful breaking power of trees on gales is most conspicuously shown. The strip of wood is a mole against which the atmospheric waves dash, and exhaust themselves. Along the shores of the Baltic, from Memel to Kiel, shores peculiarly exposed to fierce and freezing blasts, Nature had provided a broad green screen of rich forest. The crüel east-winds, sweeping over high Asiatic tablelands and Russian wastes, were cut off by the forests of Silesia, Poland, and Old Prussia. The demand for building-timber in England, lavish use for fuel, have led to the destruction of a great deal of this woodland,—the cutting through of the sluices, whereby the cold winds may rush in and destroy vegetation. The impecuniosity of Polish nobles

led to speculation by Jews. They bought up their estates, cleared off the forests, and then sold the lands by raffle. Baron de Reiffenberg, who travelled in Germany in 1842, mentions these raffles as common; he was pressed to buy tickets at Frankfurt. [1]

On the coast the cutting down of the forest belt led to another bad effect: the sands began to spread inland, the fierce winds carried the tiny particles before them, and swept them over fruitful fields, and piled them up in hills where orchards had arrested their onward career. Every year the inland march of the sand continued, and whole parishes were laid waste which had been fertile and prosperous. On the Lower Ems the sand advanced thirty feet every year.

Frederick William I. cut down a belt of pines on the coast between Dantzig and Pillau, and sold the timber for 200,000 thalers. Within a very few years, the Haf, a large lake separated from the sea by the long strip of land, the Nehrung, on which grew the pines, was partly choked with sand, and the channel by which Elbing communicates with the Baltic at Pillau, and with Königsberg, is threatened. The strip of land has been replanted, but the moving hills of sand cannot be arrested, and the cost of keeping a waterway threatens to become serious.

In the Prussian province of Saxony, the town of Düben celebrates an annual festival. The forests surrounding it had been recklessly cleared, and the sand-banks which lay to the north-east began at once to move. Long tracts of corn land were converted into sandy waste: the waves of gritty particles began to overleap the hedges, and overflow the gardens under the walls of the town. Vegetables became scarce, pasture for cattle rare, and the most serious results were feared, when the forester of the

[1] *Nouveaux Souvenirs d'Allemagne.* Bruxelles, 1843.

district offered to arrest the desolating invasion. Fifty years have elapsed since then. Now rich woods of acacias, birch and pines, wave over the sandy hills, and with their fine network of rootlets hold the restless sand in its place and compel it to quiescence. Every year the citizens of Düben turn out with music and banners—and lagerbeer, of course—into these woods, and celebrate, with much jubilation and great noise, the salvation of their town.

It has been already seen how the foliage of a forest arrests the drops of falling rain, and distils them into the earth-pores slowly, as they can imbibe them. When the force of the descending streams of rain is not thus broken, the consequence is often serious. This is especially the case in steeply inclined surfaces. There the heavily falling rain, or rapidly melted snow-water, dashes downwards with gathering strength, first drawing with it the light particles of decayed vegetable soil, the clay and limestone dust, then rolling along with it gravel and stones, and covering with them a sloping pasture. Presently the grassy meadow is torn and furrowed, and its surface swept away, and raw rock, or a bed of rubbish, lies where cattle had pastured. And this is probably brought about by some one man, the proprietor of a small wood high up the mountain side, who wanted to get rid of the trees to extend the pasturage for his cattle. For the sake of gaining one acre of alp, ten acres of tillage or meadow are devastated below. And yet the owner of the wood has done nothing but dispose of his property as he thought would best suit his interests.

In mountainous regions it is almost always the extension of pasture which ruins the wood. Rearing of cattle is naturally proper to such lands as are poor in tillage, and far from the centres of traffic. The produce of the soil has to be converted into such articles as are of small volume with high relative value, and will therefore pay

for transport, such as meat, butter, and cheese. As long as the forests are retained, less fodder grows than in the first few years after they have been cleared away. But the rich pasturage on the virgin soil lasts only for awhile. The stumps of the trees rot, and the earth, held together by the tree-roots, is loosened, and ready to slide off its bed of rock when the snows melt and the torrents descend. The sun, in summer, burns up the herbage growing out of a thin bed of *humus* superposed on rock, and the mechanical trampling of the crust by the cattle into loose lumps completes the work of destruction.

The cattle, on whose account the wood was decimated, become poorer and poorer. They dwindle with the wood, and the destruction of the trees produces in the end the direct reverse of what was designed by it. The condition of the owners becomes less happy, and the population have been reduced to poverty before they have discovered the cause of their impoverishment.

Government has everywhere had to interfere to prevent this. In Switzerland, its interference has been angrily resented, and too often successfully opposed. Austria is even more behindhand. But in the Bavarian Alps, the forests are carefully guarded and protected against wanton destruction.

In the Eifel, a reckless clearing away of wood has led to deplorable results, which a resolute Government has done its best to remedy. The English pedestrian probably knows the charming Ahr valley opening on the Rhine at Sinzig. In the district of the Adenau, the high land of the Eifel is cold and subject to rapid changes of temperature, and violent storms. The steep sides of the Ahr valley and the heights above were at one time well clad with trees. But in order to obtain more pasture, the peasants cut them down. The cattle scrambling along the steep

slopes, disintegrated the soil, and with every rainfall, much was washed down. After the soil came stones, and the meadows in the bottom were covered with them. After every storm a street in Adenau was buried in *detritus*, and it cost the parish some two pounds a year to keep it cleared. In the year 1853 the rent and devastated slopes were subjected to systematic drainage. Horizontal dykes were cut, and the torrent beds dammed up. Then followed the replanting. Larch and spruce and pine were planted very densely, with birch, willow, and poplar at suitable spots. By 1861, as many as 365 acres of devastated slopes were drained and channelled at the cost of 350*l.*, and 165 acres were planted. Some 200 acres more were in the hands of small proprietors who could not afford to lose a few years' use of their land, and could not spend capital on its recovery.

In the Westerwald half a century ago, oats and barley grew on land that now lies 150 to 200 feet above the present line where corn is reaped. The tops of the mountains were then covered with wood. This has been cut down, and the icy storms from the north-west have driven cultivation further into the valleys.

The forests of Germany are necessary for another reason. They are to a continental people what the sea is to islanders, a region where man can meet the infinite, and look into mystery. The woods are not merely barriers to the land against sand, they are barriers to the soul against materialism. They protect, and keep in unfailing freshness, not only the springs of water, but the great fountains of original thought in the German mind.

In the town and the drudgery of life, the poetry, the spirituality, the music of man's life is trodden into the dust. He must escape into free nature, away from the works of men into the sabbath of God, if he is to maintain

his higher nature in vitality. Man does not live by bread alone, but by tasting also of mystery. It is the mystery of the sea which lends its charm to the weary mind of the English factory hand, tradesman, and merchant. It is the mystery of the forest which gives new life to the flagging souls of Germans, sick with barrack routine, and the drudgery of a profession. An Australian said one day to me, 'I cannot live in England. The hedges cramp me in, I cannot breathe, I cannot laugh, *I cannot think.*' Our material and social hedges shut us in, destroy our freedom, and with that our power of enjoyment and freshness of thought.

The innumerable leaves of the forest are believed to exercise a great sanitary effect on polluted air: they cleanse it, destroy miasma, and make it sweet and fresh. They produce a similar effect on the moral atmosphere. Let any resident in the West End of London visit Kensington Park and Gardens on Sunday afternoon and evening. Under the arches of the elms he will see clusters of artisans with their wives and children picnicking, in perfect happiness. Barmen, in the Westphalian coal district, is a busy centre of manufacture. Some thirty years ago, nothing can have been more disconsolate than the bare hills on each side of the Wupper, once covered with trees, which had been ruthlessly cut down. The town purchased an extensive tract around the place, and laid it out with walks among plantations. Now the woods are thronged on every Sunday and holiday with thousands of mechanics and their families, and those who have lived in Barmen assert that the pure pleasures of the woodland walks and the fresh, beautiful nature have produced a marked change in the character of the people. I cannot but believe that the freshness, simplicity, and joyousness of a German's pleasure-taking—so different to the blackguardism and

brutality of holiday-making among our lower classes—are due greatly to the fact that the former enjoys himself in nature, and the latter out of it. The former seeks the forest, the latter the tavern.

'The German people need the forest,' says Riehl, 'as man needs wine.' True, neither is essential to existence. A man can do with a little wood for the oven, and a phial of wine with a medicine label to it in case of sickness. But the German people demand of the forest more than a *Klafter* of dry firewood to warm their outer man; they demand the green tree full of sap and foliage for the warming of the inner man, the spiritual part of him.

German landscape is infinitely more monotonous than the English. We have our hedgerows lovely with fern and moss and flower, hung with wreaths of primrose and bluebell, or bedecked with foxgloves. The trees that stand upon them spread their branches overhead, and the lines of trees intersect at the most various and capricious angles, making mystery of parcelled and confined land. In Germany the bare surface of the soil is far more parcelled; it is ruled in parallel strips, and not a scrap of soil is wasted on which wild-flowers may grow. Corn, hemp, turnips, potatoes—corn, hemp, turnips, potatoes *ad infinitum*, make the dreary plaid dress cast over the surface. Were it not for the common woods from which the fuel is cut, the monotony would kill the soul. Germany must retain its forests, not merely to keep the ovens supplied, but also to keep the pulse of the life of the people warm, and make it beat joyously. Who can doubt that it is to the forest that Germany owes the great freshness of its artistic creations when he looks at its architecture and wood-engraving, and listens to its *Volkslieder?*

German sculptors originated an unique style of architecture, its late 'broken twig' Gothic, in the fifteenth

century, which is the very perfection of Gothic picturesqueness. The inspiration came from the greenwood: the branching pillars, without capitals, the cusping of the tracery, the rustication of every detail, recall the forest. The like is to be seen nowhere else. French flamboyant is the exuberance of a garden, English perpendicular is the primness of an espalier walk, but German fifteenth-century Gothic is the mystery, richness, and marvellousness of the wild-wood.

Is it possible to doubt the influence of the forest on Albrecht Dürer, looking on his 'Knight and Death,' or 'Flight into Egypt,' or 'St. Hubert?' The branchings of the boughs, the massing of foliage, the tangle of the roots, the vague mysteriousness of the forest depths, were his delight and study. The same may be seen in Lucas von Cranach, in Martin Schöngauer, and recently in that most charming of artists upon wood, Ludwig Richter. And in music? It was from the forest that the sweetest of all singers, Weber, drew his inspiration. Turn over any collection of *Volkslieder*, and see how large a proportion is called into existence by the forest.

In sharp opposition to the people of classic antiquity, who never possessed that sympathy with nature which could make them observe and describe her in her various moods, were the German races, which from the first loved and worshipped her. The forest—the sacred grove—was to them the temple of God, and the goddess Hertha, in her golden car, hid in its sanctuary, and rolled forth once in the year to bestow blessings and fruitfulness on all.

The broken twilight of the wood, in which the eye was perplexed by a thousand changing streaks of light, or where reigned an impenetrable gloom, where trunks stood in ordered disorder, immovable, whilst every leaf and twig danced and trembled, the awful hush, broken,

however, by a variety of unaccountable sounds—all tended to invest the forest with solemnity, and make it appeal to the religious instincts of the soul, and awake or maintain in it a sense of the divine.

He who lives far away in the depths of the forest, who day by day reads in that wonderful open book full of marvellous characters which he cannot puzzle out, but which he knows are not without a meaning,—he is always more pious and superstitious than the citizen, or the dweller in the open well-tilled plain. The tillage plants are short-lived, a generation that passes away in a twelvemonth. There is something very prosaic in a turnip. The growth of the forest trees is longer than the life of man. He who plants the acorn will not fell the oak. In the rustle of the broad crown the tree tells us that it was before we were born, and will be when we are forgotten. The forest carries our thoughts beyond the narrow bounds of our three score years and ten, and shows us our days as it were a span long. A year—an age of emotions, joys, and sorrows—is marked in the felled beech by a little ring.

The dweller in the forest is generally a self-possessed, silent man, living in his own thoughts, more solitary and gloomy than the native of the sunny corn and wine land, but also much more original. In the forest man develops, in the city man is fashioned. He grows there, he is moulded here. Through his daily intercourse with nature he becomes observant; through the hard labour of tree-felling he waxes strong and sinewy; through a life of solitude, hours spent by night in the darkness of the forest, he becomes courageous. Living in a region which is without bounds, he is passionately fond of freedom; among the works of God, signs of His constant provision for the wants of his creatures, he is humble and devout. Removed

from the outer world, thrown in on himself, he is obstinate to stubbornness. The woodman is strong of limb and heart and lung, the finest specimen of a man that can be shown. He is to Germany what the seaman is to England, the type of fresh, healthy humanity.

Lastly, but not least, the forests of Germany are the great fuel stores. In Germany the coal-fields are few. There are beds over eight geographic miles to the north of the Lippe in Westphalia, and in Silesia, and at Saarbrücken, but 45 per cent. of the coal raised in Germany comes from the Westphalian beds.

In 1872, in England were raised over 125,000,000 tons, in the same year in Germany 42,000,000. It is quite impossible to supply fuel for domestic purposes for all Germany from the coal-fields; partly because the beds are not sufficient, and partly because of the enormous distances which the coal would have to be conveyed. The mainstay of the householder must be the forest or the turf moor. A turf moor seven feet deep gives as much fuel as ten times that space covered with firs 120 years old. The turf takes from 100 to 200 years to grow.[1] Turf moors cover 1,840 square miles of Germany. Of these 1,040 are in the eight old provinces of Prussia, and 520 in the three newly acquired provinces.

According to Hartig,[2] a Prussian estate of 1200–1800 acres requires annually 50 Klaftern[3] of pinewood for fuel. An estate of 91–120 acres requires 10 Klaftern; one of 30–60 acres demands 6 Klaftern, and a cottage with 30 acres must consume 4½ Klaftern. But the amount of fuel required by a family varies according to the climate, the

[1] Pfuhl: *Forstbenutzung*, p. 366.

[2] *Allgemeine Forstordnung*, p. 73.

[3] A Klafter is 144 cubic feet, but 44 cubic feet are deducted for the space between the blocks: consequently it equals 100 cubic feet of solid wood.

season, and the number of stoves in the house. The climate in Germany is very different in different parts. In the east of the province of Old Prussia, the average temperature in January is −6 Cent.; at Mannheim, Cologne, and Düsseldorf +2. At Augsburg it is −5, at Bremen +1. A labourer's family cannot possibly do with less than 2½ Klaftern of firewood in an average winter. In six months (winter) in the South of Germany, my consumption for four stoves (kitchen-fire included) was 3½ Klaftern. In the winter of 1877–8, a Klafter cost from 42 to 44 marks, and the sawing up 3 marks more. This made my fuelling for six months come to 9*l.* It would cost a cottager in fuel for the year 6*l.* 10*s.* But a poorly-built cottage will not keep out cold like one with thick walls. It has been calculated that the ratios in which a battened walled house, and one of stone or brick one foot thick, and one that has walls two feet thick, stand in their requirements, are 235 : 120 : 50. In fact, the cottage demands nearly five times as much fuel to keep it warm as does the stoutly-built house. Consequently 6*l.* 10*s.* is, I fear, the lowest sum at which we can fix the poor man's expenditure for necessary fuel. In Bavaria the price of firewood rose between 1831 and 1857 as much as 58 per cent., building and carpentering timber 64 per cent. In well-wooded Würtemberg firewood cost per Klafter in English money—

| | 1850 | 1873 | 1877 | 1878 |
|---|---|---|---|---|
| | *s. d.* | *s. d.* | *s. d.* | *s. d.* |
| Oak . . . . | 11 0 | 28 0 | 38 0 | 30 0 |
| Beech . . . | 14 0 | 30 6 | 50 0 [1]<br>42 0 [2] | 42 0<br>34 0 |
| Birch . . . | 11 9 | 24 6 | 40 0 | 32 0 |
| Pine . . . | 7 9 | 20 0 | 34 0 | 28 0 |
| Fir . . . . | 7 2 | 16 3 | 32 0 | 26 3 |

[1] Logs. [2] Branches.

It will be seen that what cost a poor man thirty-five shillings in 1850 cost him in the winter of 1877–78 one hundred and thirty. If wood were allowed by Government to be cut down by any one who wanted to raise money, and as nearly every bauer does want this to pay off mortgages on his farm, in a few years Germany would be denuded of forests, and the poor would be unable to purchase fuel. In another thirty years two Klaftern and a half would cost 32*l.* 10*s.*

As long as there was no need for sparing forests they were regarded as common property, excepting only those which belonged to the crown. In the Burgundian law[1] any one was allowed to cut down trees not fruit-bearing in *any* wood (*in cujuslibet sylva*). But the Visigoth laws, and those of Rothar and Luitprand, show the dawning of the idea of proprietorship in woods. In the old Frank times there were common forests and also private forests. On the Rhine, till the twelfth century, woods were common. In woods belonging to a parish, oak and beech might not be cut down for fuel, but only for building purposes. The oaks were spared chiefly because the swine fed on the acorns.[2] Later, the Gemeinde decided how many trees and how many waggon-loads each householder was entitled to in the year. The measure of the wood-cart was also fixed. It is stated on the west entrance of Freiburg Minster. Wood might not be cut down for sale, and charcoal-burners, coopers, and wheelwrights worked for the parish, using its wood, and were paid a wage for their work. It was necessary for the towns to have large forests, as the villages refused to sell wood to the citizens. During the Crusades the towns bought forests of the nobles who desired to go to the East, and thus it happens that

[1] *Lex Burgund.* xxviii. 1, 2.

[2] *Sachsen-Spiegel*, ii. 28; *Schwaben-Spiegel*, 196.

most cities in Germany possess large tracts of forest land. Nürnberg was a free city with a Burggrave resident in the castle. The Burggrave had the royal forests for chase, but the citizens were allowed to cut building-timber and fuel from it.

Hagenau received the royal forests around in feof in 1164 from Frederick I. Rostock bought something like ten thousand acres of forest in 1252.

The crown and the princes appropriated forests for hunting purposes. The Vosges were made a royal preserve in 590;[1] the Ardennes at the beginning of the ninth century. But the 'Sachsen-Spiegel' mentions only three preserves in all Saxony. There were royal forests near Nürnberg, Büdingen, Montjoie, Aachen, and Altdorf; others at Kaiserlautern, Speier, Friedberg, the Steigerwald, and Weissenburg. In the twelfth century, the nobles began to create preserves for their own chase. Their rights (*Bann*) extended only to the game and to the large timber. The scrub and fallen wood were free to all to take, and the villagers in the neighbourhood retained their rights to supply themselves thence with fuel. Charlemagne forbade inconsiderate devastation of forest land, and he made royal parks in Osnabrück 'cum collaudatione potentium istius regionis.' In all forests the peasants had a right to feed their swine on the mast. In Westphalia the labourers and cotters had equal rights in the woods with the lords of the manor.

But in the sixteenth century the forests had so dwindled, and fire-wood had become so dear, that the princes issued a number of orders controlling the cutting down of timber, and taking the forests under their sovereign protection. This was the beginning of the Forsthoheit or Forest Royalty. The princes appointed a class of officials

[1] Greg. Turon. *H. F.* x. 10.

whose duty it was to see after the fuel supply in their provinces, and look after the protection of trees, just as the police have to see to the protection of citizens.

The Forest royalty is exercised in three ways:—

1. The State forbids the rooting up of forests which are private property, without consent of the State. This was made law in Brandenburg in 1688. But Frederick I. removed these restrictions with most disastrous results.

2. The State insists on all private forests being placed under the supervision of the Government officers, who inspect, order replanting, or approve, if the owner retains the management in his own hands, otherwise the State will undertake the management for him. No man is allowed to cut down a tree on his own estate unless it has been marked by the Government inspector of forests. This was the law in Baden in 1574, in Brunswick in 1591, in Würtemberg in 1614, in Bavaria in 1616.

3. The State, in addition to this right of supervision and control, claims a right to purchase wood of private proprietors at a fixed tariff, or even free of payment, for ship-building, fortifications, &c. This is generally abandoned.

In Bavaria, severe rules were laid down in 1772 and 1786 affecting all forests except those in the hands of the nobility. In 1791 the French Republican Government abandoned its former control over private forests, and in 1792 over communal woods; but in 1803 Napoleon forbade the rooting up of woods for twenty-one years, as in the twelve years that had elapsed since 1791 as many as three million acres of wood had been devastated. From 1803–35, only five hundred thousand acres were cleared.

In 1827, again in 1847, 1850, and 1853, the same prohibitions were issued. In Bavaria in 1803, licence was given to private owners to clear woods and cut down

trees at pleasure. In France and in Germany every revolution leads to the devastation of woodland. Needy peasants are angry and impatient at the restraints put on their axes. They want ready money and care nothing about the price of wood to their children and grandchildren. The forest laws gall them constantly. They could buy off the Jew who sits on their shoulders and eats the fruit of their land, like the Old Man of the Sea on Sinbad, if only they could realise by clearing their trees away. In the country, when revolution breaks out, the bauer seizes his axe. He does not rush against castles, and storm cities, but lays low beech and oak which have stood the storms of half-a-century. He is essentially improvident, and the Government has to restrain him from cutting his own throat.

The communal forests were often subdivided among the bauers, who proceeded to there and then efface their lots of wood. This subdivision is now forbidden throughout Germany and France. 'Jamais,' says the 'Code Forestier' of 1827. Prussian law, indeed, allows subdivision of communal forest among the freeholders, but forbids the turning of the woodland into tillage, except in special instances, approved by Government commissioners. A similar law was passed in Bavaria in 1834. Private owners are now, in Germany, only allowed to clear a wood under two conditions:—

1. That the Government be informed beforehand, and be satisfied that such cutting down of a wood in no way endangers the interests of others.

2. That the ground cleared be either replanted with trees r brought under higher culture.

Government, moreover, in France and Germany, will not allow land to lie waste, whether in public or private possession. In France all waste patches must be planted.

If the owner of the land have not the means to do it, the State will supply him with seeds, or will buy and plant the ground, and resell it to the original owner at cost price after six years. The average cost of planting is thought to be 76 francs for the hectare. The owner is, however, not allowed to destroy the trees, but must preserve the plantation subject to Government control. By Bavarian law, a private owner, if he farms his woods badly, may be arrested and fined, and the Government takes the management of his woods upon it, and repairs the damage done at the proprietor's cost. The proportions of forests in the hands of the crown, of the communes, and of private holders, are :—

| | Government | Communes | Private property |
|---|---|---|---|
| In Bavaria . . . | 34 | 16 | 56 |
| „ Hanover . . . | 53·6 | 23·6 | 22·8 |
| „ Saxony . . . | 33·6 | 6·1 | 59·6 |
| „ Würtemberg . . | 31·6 | 37·8 | 30·4 |
| „ Hesse-Darmstadt . | 31·6 | 38·9 | 29·3 |
| „ Baden . . . . | 18·5 | 53·2 | 28·2 |
| „ Austrian Alps . . | 16 | 26 | 58 |
| „ Prussia . . . | 30·7 | 14·9 | 54·3 |
| „ France . . . | 13·8 | 21·2 | 65 |
| „ Belgium . . . | 7·1 | 27·4 | 65·5 |

In 1811 Prussia abandoned all control over private forests, and allowed every man to cut down trees on his own grounds without asking permission of the State. The theories of the rights of property propounded by Adam Smith were accepted as gospel truths and acted upon. Mediæval interference with the free mobilisation of capital was regarded as a barbarism. The Kingdom of Saxony, Saxe-Weimar, Saxe-Altenburg, Anhalt, Hanover, Oldenburg, Schleswig-Holstein followed the lead of Prussia. Throughout the North of Germany the axe rang all day. The high lands of Saxony became bare. The plains to

the Baltic, once covered with pines, were converted into desolate heaths: Anhalt was denuded of trees. Oaks became extinct everywhere, then beech, and no woods of deciduous trees remained. Even the pine vanished, and only the larch survived. In 1846 there was scarce an oak left in Mecklenburg. The high ground of Schleswig-Holstein is now barren. Before 1811 it was covered with birch woods and oak coppice.

But in the South of Germany the restraining hand was not withdrawn. In Nassau there are few private forests, but in 1815 their extermination was forbidden. In Hesse-Cassel in 1821, and again in 1830, measures were passed protecting woods from their proprietors. So in Hesse-Darmstadt in 1819. In Hesse-Homburg all owners of wood covering twelve acres were obliged to place them under Government supervision. In Baden, in 1821, strict laws of similar purport were passed, but abandoned in 1831. All the little holders began at once to clear their farms of mortgages by felling their timber. In 1854, when the mischief had become serious, and the price of wood had risen enormously, all devastation of private woods was forbidden, and they were placed either under Government management or inspection. In Würtemberg, control over the private forests and woods has never been abandoned.

To remedy in some way the havoc wrought by private owners, the Prussian Government has made large purchases of land, and planted it. In 1820 the Prussian Government owned 2,409,917 hectares of forest, in 1865 only 2,052,334; but in 1873, in the old provinces, 2,083,732. Since 1857 there have been on an average ten thousand acres annually planted of land that had been denuded of its trees, or of barren moor. The area of State forests in Prussia, Posen, and Westphalia, has increased 38,604 hectares between 1851 and 1871; in Brandenburg, Pome-

rania, Silesia, Saxon provinces, and the Rhineland, it has decreased by 24,090 hectares: but the total gain has been about 14,500. Since 1871 the State has on an average acquired 6,930 hectares of new forest land. It was high time for something to be done, for between 1837 and 1867 oak wood had risen 59 per cent. in price, pine logs 65 per cent., beech fire-wood 67 per cent., and fir-wood for firing 84 per cent.

Throughout Germany, whatever may be the local laws restraining private owners from cutting down trees, or communes from parcelling and 'stubbing' their woods, the Governments have a special department of police, the foresters, whose duty it is to see to the replanting and tending and thinning of forests. The science of arboriculture is carried by these functionaries to the highest pitch of perfection. It will no doubt astonish the Englishman to hear that the foresters support thirteen newspapers and periodicals, two of which are illustrated; as well as three kalendars specially dedicated to their science. Between October 1st and December 31st, 1878, the press issued twenty-three works on their special subjects and the chase. In 1876 over seventy books were published dealing with forests and hunting.

It is only possible for me very briefly to sketch the system pursued in the cultivation of trees. Forests are divided into three classes according to the length of time they are allowed to grow.

1. Hochwald (*futaie*) consists of trees suffered to attain their full growth before they are cut down.

2. Niederwald (*taillis simple*) is coppice. The trees are cut down before they are full grown, and allowed to spring up again from the roots. Only dead stocks are replaced.

3. Mittelwald (*taillis sous futaies*) is a combination of

both the preceding methods. Some old trees are allowed to stand, and between them is coppice, periodically cut.

Of all three sorts, the Hochwald brings in the greatest gross receipt, both in wood and other products. Each tree grows in its childhood relatively fast, but absolutely slow. Trees will allow of being cut down four times in 120 years, at periods of thirty years. The same piece of land which, cultivated as Niederwald (coppice), will give annually fifty klafters, as Hochwald will yield annually on an average 100 klafters. In the coppice no use can be made of the ground for pasture. In the Hochwald cattle may feed, if the trees be not too thickly planted. In the Mittelwald more leaf is grown and shed—the natural manure of the soil—but in the Hochwald it can be removed with greatest care and least injury to the trees. In Germany the fallen foliage is much used for bedding cattle.

The old trees exhaust the soil of the valuable constituents less than do the young trees. Thus a pine aged 220 years gives 1·13 per cent of ash, a pine aged 170 gives 1·98, and one aged 135 years gives 2·92.

The Hochwald demands greater outlay and labour. It is estimated that an acre of pine without Niederwald costs five thalers, Hochwald with deciduous trees three thalers, but Niederwald only ¾ thaler per annum. Hochwald cultivation demands heavy outlay, and no return in a lifetime or indeed in two generations. The best building timber takes longest growing.

In Baden it is estimated that for the production of one million klafters of fire-wood, annually, *i.e.* firing for 200,000 households at five klafters each, timber of ninety years' growth over 1,500,000 acres is required; and with timber of thirty years' growth on 2,811,000 acres.[1] The

[1] Morgen.—A Morgen is really in Baden = 0·3600 hectare. An acre

maximum of growth in beech, the best firing wood for stoves, is between the 70th and 120th years, in pines between the 30th and 80th.

In low and wet situations, trees decline much earlier; and there Niederwald pays best. It has been calculated that a Prussian Morgen, *i.e.* about 2½ roods, will yield:—

| | Hochwald. | | | Niederwald. | | |
|---|---|---|---|---|---|---|
| On good soil . | 28 | cubic feet of | oak | 24 | cubic feet of | oak |
| | 30 | „ | beech | 16 | „ | beech |
| | 28 | „ | birch | 34 | „ | birch |
| On moderately good soil . | 28 | „ | oak | 20 | „ | oak |
| | 20 | „ | beech | 14 | „ | beech |
| | 22 | „ | birch | 28 | „ | birch |
| On bad soil . | 12 | „ | oak | 16 | „ | oak |
| | 12 | „ | beech | 12 | „ | beech |
| | 12 | „ | birch | 22 | „ | birch |

The town of Freiburg in Baden in 1289 purchased a forest of 7,936,623 hectares of wood for 1,300 marks of silver of two impecunious nobles. In the fifteenth century more forest was bought, and again more in 1844. Within the last forty years these forests have been systematically and scientifically farmed; with what results the following statistics will show,

The city now possesses 32,340,285 hectares of forest-land.

Between 1842 and 1851 the net receipt for sale of wood was 21,535*l.*, or 17*s.* 4*d.* per hectare, every year.

Between 1852 and 1861 the net receipt was 31,832*l.*, or 19*s.* 1*d.* per hectare, annually.

Between 1862 and 1871 the net receipt was 32,310*l.*, or 20*s.* 1*d.* per hectare, annually.

is 0·4047. A Prussian Morgen = 0·2553 h. A Saxon M. = 0·5540 h. A Würtemberg M. = 0·3152 h.: a Hessian M. = 0·2500.

| | Net receipt. | Per hectare. |
|---|---|---|
| 1872 . . . | £ 4,929 | £1 10 6 |
| 1873 . . . | 3,556 | 1 2 0 |
| 1874 . . . | 10,237 | 3 3 3 |
| 1875 . . . | 6,708 | 2 1 6 |
| 1876 . . . | 7,291 | 2 5 0 |
| 1877 . . . | 4,147 | 1 5 6 |

The average annual receipt per hectare has therefore been 1*l.* 18*s.*

The forests as the haunt and nursery of the deer and wild boar are the training ground of men to activity, and keenness of sight, and accuracy of shot, besides supplying them with a fund of happiness. In this respect the forests have also their advantage to a people who are without public games, a youth which knows not cricket and football, and whose only idea of taking vigorous recreative exercise is in pursuing the deer under the boughs of the greenwood.

Im Wald und auf der Heide
Da such ich meine Freude:
Ich bin ein Jägers Mann.

During more than a hundred years, social politicians have done battle for cultivated soil, for the tillage of the peasant, to emancipate it from feudal burdens, and allodify it. For a thousand years war has been waged against the wood and waste, the plough has driven back the heather and the bush further and further. But now social politicians are aroused to the necessity of maintaining the rights of the forest, of doing battle for the wilderness against cultivation. Men have fought for freedom to enslave the soil, and now it is discovered that the earth avenges herself, fights a servile war, unless she also be allowed here and there space to breathe and extend her arms, and shake off the manacles imposed on her by civilisation. By Jewish law the field was allowed its sabbath. In the forest the earth reposes from its work and keeps its jubilee.

## CHAPTER VIII.

### EDUCATION.

There is no darkness but ignorance.
*Twelfth Night*, act iv. sc. 2.

In 1878, the Canton of Aarau removed every restriction which prevented the free practice of medicine. Before the beginning of the year, the State allowed none to cut and physic who could not show their credentials and prove their qualification. No sooner was this restriction removed, than the Canton was invaded by a legion of quacks. If the death-rate be not raised, it will be surprising.

In England, in the matter of education, the State leaves the field clear to empirics. She makes no provision that the education of her children shall be sound and wholesome except only among the poor. A good rudimentary education is provided for the lowest class. No provision whatever is made for the upper and middle classes. No doubt the upper class is sufficiently alive to the importance of education, to take care of itself, but this is not the case with the middle class, which is ravaged by a legion of impostors.

In December 1864, a Royal Commission was issued authorising Lord Taunton, Lord Stanley, Sir Stafford Northcote, and others to inquire into the state of the schools for secondary education. Their province was bounded on the one hand by the scope of the Commission

of 1858 for inquiry into the state of the primary schools of the country, and on the other by the scope of the Commission of 1861 for inquiry into the state of the nine great public schools—Eton, Winchester, Westminster, &c. All the schools between these two categories fell under the new Commission.

The results fill twenty thick volumes of reports. Over eight hundred schools had to be separately inspected and reported on. The work of the Commissioners was divided into two parts, one of which followed as the consequence of the other. They had first to ascertain the present condition of our middle-class schools, and next to suggest means for their improvement.

The middle-class schools of England are of three distinct orders—endowed grammar-schools, proprietary schools, and private schools. All these fell under the terms of the Commission, but as the endowed schools formed the only class with which the State supposed it had a right to interfere, it was chiefly these which were examined and reported on. The proprietary and private schools, as the property of individuals, were not interfered with, on the grounds, which I cannot but think altogether mistaken, that the State was not justified in meddling with them.

There are in England and Wales 782 endowed schools, which in whole or in part devote themselves to the work of secondary education. They educate 36,874 boys. The nine great public schools educate 2,956, and the proprietary schools 12,000. This gives a total of less than 52,000 boys receiving secondary education in the endowed and proprietary schools of this country. As it was calculated in 1865 that there were 255,000 boys of the age and social status to require secondary education, it appears that there are over 200,000 boys left to be educated at

private schools, that is, the public and proprietary schools educate less than 20 per cent. of our middle-class youth.

The condition of these private schools is not such as to make this fact an agreeable one to contemplate. In a set of establishments so numerous, and so varied, so entirely free from every kind of organisation and control, there must necessarily be every degree of goodness and badness. The Commissioners reported of such as they inspected that some were indeed 'good' or 'passable,' but that many were 'exceedingly bad.' In some cases the masters were found to be intelligent and conscientious, in others to be incompetent. Some schools were the flourishing but rotten result of 'successful charlatanism.' On the whole, the condition of these schools was pronounced to be 'lamentably unsatisfactory.' Among the more expensive sort of private schools there is a minority of good, and a majority of bad ones. The cheaper class of private schools seemed to be almost all bad. Bad premises, unqualified teachers, utter confusion, formed the principal features of most of the pictures of this class of school, painted for us by the official inspectors. Nearly fifteen years have elapsed since this Commission was appointed; and what has been done to remedy the mischief? Nothing. Absolutely nothing. Another generation of our middle class is growing up in schools which are a disgrace to our civilisation, in which they are inadequately taught, their minds not educated, but crammed, their moral character debased.

In Germany no man may teach unless he has satisfied Government that he is qualified to instruct; and no school can be carried on in buildings not adapted to the purpose. In Germany the State supposes that it is responsible to the nation to see that the education given to *all* classes be wholesome and solid, and to ward off from it the perils of having its young incompetently, inefficiently, erroneously

instructed. Before proceeding to see what the German system is, I wish here to bring before English readers the impression left on the mind of a German who has for some years been a master in our middle schools. I have compared his experiences with those of another German, and I find the report of both is the same. I may add that the gentleman whom I quote has passed through two German universities.

The ushers for the private schools are provided by scholastic agencies; these furnish masters of all sorts for schools, English as well as foreign. Here at once we strike at the root of one evil in these schools. The agency pockets a sum from the principal and from the usher on a new appointment. It is obvious, therefore, that the oftener a vacancy occurs, the more rapid is the return.

An usher is engaged at Christmas for 50*l.* He pays at once to the agent 2*l.* 10*s.* If he be dismissed at Easter, and the agent finds him another situation for the same sum, he gets again 2*l.* 10*s.* If the usher again loses his place, and is recommended for the third term to a similar situation, the agent pockets 7*l.* 10*s.* from him alone in the twelvemonth. How much he gets from the principal on each appointment I do not know. But each vacancy means two payments. An agent very unscrupulous, and desirous of making the most of his opportunities, finds it therefore in his interest to appoint bad men to good situations, and good men to schools where they cannot in self-respect remain. A good man in a good situation will stick there. But a man who is forced to leave every quarter is a goose that lays a golden egg four times in the year.

I do not assert that the agents act on this principle, but it is obviously in their interest to do so. If they do not, they rise superior to the system.

In Germany, a Government Board appoints on a vacancy occurring in a school. The Board examines the candidates, and nominates the most worthy or the most suited to the post. Since 1810, no teacher may open a school or go as private tutor who has not undergone examination. It is illegal for patrons or principals of schools to nominate any persons who have not proved their efficiency. A foreigner may not teach his native language without having obtained a *facultas docendi*. In England a host of incompetent persons pass themselves off as tutors and governesses who in Germany would be rejected by the Board.

We, in our dread of seeing the liberty of the subject curtailed, and Government interfering with matters social but not political, shrink from interference of this sort. But why should we? We expect the Government to stand between the child and its parents for its protection, when the father and mother brutally ill-treat it; the State will not allow the drunken parent to kick and break its tender bones, but allows him absolute freedom to cripple and distort its mental and moral faculties. We allow the School Board to enter the cottage and force the ignorant parent to send the children to school. The parent maybe sees no profit in learning, but the State knows better, and brushes his objections aside. It has a right to do so. But there we halt. The middle classes are worse provided for than the classes below. The State makes no provision for their education, or that the educators of them shall not be wretched impostors.

In Germany every stratum of society is treated with like impartiality, like justice. The State secures that the son of the day-labourer and the son of the prince shall alike have properly proved and authorised instructors.

I believe that among the upper classes in England

there is no knowledge of the wretchedness of the education with which the great shopkeeping and farming mass in society is content. In the hope of bringing this knowledge home to them I shall quote the experiences of a German gentleman, in a series of letters to friends in his native land which they have kindly placed at my disposal: some are already in print, but not yet published: I have, of course, condensed much.

'I came,' he writes, 'to England first induced by an advertisement of a scholastic agency in London, which appeared at intervals in the German papers, and which probably still spasmodically appears there. This advertisement announced that vacancies for foreign masters existed in several excellent schools in England at salaries ranging from 30*l.* to 300*l.* I was fired with eagerness to go to England and acquire a good knowledge of the language, which I could read but not speak well. I wrote at once, and received in reply from the agent a form which I had to fill up, stating my age, height, confession, and qualifications. The agent regretted that the situations advertised were already filled, but recommended my coming to London, when, he said, one suitable would be readily found.

'Of these agents there are an abundance, and they must be considered, I suppose, a necessary evil. Through them principals and assistants are brought together. The principals by these means provide themselves at a cheap rate with ushers, and the candidates for scholastic offices have no other opportunity of making themselves known. There is advertising, I allow, but that is costly. I tried it in the "Times," the "Daily News," and the "Guardian," but the only answers I received were from agents, offering their assistance. How little reliance may be placed on these gentry may, however, be guessed from the fact that I was

in connection with eight of them at a time, and yet for three months could get no engagement.

'As soon as I entered into communication with each agent I was required to sign an agreement, so that I could be legally compelled to pay his exactions. The charges of these agents are all alike. An engagement with board is paid for to them at 5 per cent. of the annual salary. Thus, if I take a situation at 50*l.* per annum, I pay down 2*l.* 10*s.* to the agent on entering upon it, whether I keep it for ten months or ten years. Consequently, as a foreign teacher only too soon discovers by bitter experience, it is not in the interest of the agents to engage respectable men for respectable situations. On the contrary, they force a disreputable usher into a good school, knowing that the principal must dismiss him at the end of the quarter or half-year, and they only offer inferior situations to men of character and good attainments, knowing that they will find their position so intolerable that they will throw up their masterships rather than endure further degradation.

'Let me give you an instance from what went on before my eyes. My agent was given *carte-blanche* by the master of a school to engage for him in all haste a professor of foreign languages, as he had been obliged precipitately to dismiss his French master. The agent accordingly summoned a host of candidates to a personal interview. I was among them. The concourse of various types and nationalities was curious, and would have served a painter with a subject, but would have been a despair to a pedagogue seeking in it for the twentieth time a suitable usher for the education of youth. There were debauched students who had been obliged to leave their universities, clerks and waiters dismissed for peculation, nungry French barbers, Communists, Spanish refugees,

adventurers of all sorts, tradesmen's apprentices out of work, Savoyards who had lost their organs or whose monkeys had died; there were lads of sixteen, who did not know that it was not *en règle* on such an occasion to pocket their pipes; there were also greyhaired teachers grown ragged and abject in their misery, ready to fawn on and grovel before the agent if he would but cast them into some situation which would save them from imminent starvation.

'It was a sad, but a droll picture; and it was curious to see how conscientiously all submitted to English etiquette in bringing with them umbrella and silk hat. Some, indeed, brought their hats in paper boxes, and hastily took them out for their presentation, and donned the greasy wideawake again the moment the interview was over.

'The assembly was one of various tongues. Some spoke three, others four or five languages. The only one who spoke *none* was a Swabian, and on him the agent pounced, and him he selected.[1]

'Engagements for Continental schools are charged at the rate of 10 per cent. of the annual salary. My agent-in-chief dearly loved concluding these, and sending his dupes abroad—the further the better. Of course, not a word was said about the requisite *facultas docendi* demanded in Germany.

'I was in the agent's office one day, when a young English gentleman came—evidently a gentleman in the English acceptation of the term—and asked when his

[1] The Swabian German—that of the Schwarzwald and Würtemberg is thought the very worst dialect in Germany; it is not understandable by a North German. The Swabian chosen by the agent to teach French and German was not only incompetent to teach French, but also his native language. *For that reason the preference was accorded him* over all other candidates.

brother was to start for a situation in Switzerland which the agent had promised him. "To-morrow," answered Mr. B——; "so now will you be so good as to pay the commission? The salary is 50*l.*, consequently our due is 5*l.*" The young man drew out his purse and paid the sum required. As he turned to leave he added, "Of course you guarantee this situation to him." The agent was thrown for a moment into perplexity; then he said, "No, sir, that we do not. It is quite impossible for us to do that. We do our best to assist your brother to a situation which we have every reason to believe is vacant, but we will guarantee nothing." I thought to myself, "Very probably, when the unfortunate gull gets to Switzerland, he will find that there is no vacancy, or that the salary is something very much smaller than that on which he has paid 10 per cent." The poor lad, if he found himself duped, after having spent as much as he could afford on his journey, would certainly not attempt to recover his 5*l.* from the sharks who had swallowed it by throwing 10*l.* to the legal sharks to help him. On that the agents reckon.

'In much the same way shoals of Swiss and Germans are drawn away from their native land by false representations—the latter especially, hoping thereby to escape military service; and when they come to London they have to wait three, six, or nine months before they can get a post, and then get one which in drudgery and degradation is infinitely below anything they would have had to undergo in the barrack. And if they have once shirked duty they dare not return: they have made their bed, and they writhe on it. But these agents are to blame for systematically encouraging them to desert their fatherland by holding out to them prospects which cannot be realised.

'Engagements without board and lodging in England

were charged a commission of 10 per cent. Why I could never discover. Probably there was not so rapid a change in these. No commission is under a guinea.

'But this is not all. I learned later that it is possible to buy of an agent a good situation, by offering to give ten, fifteen, or twenty per cent. The reason why I was kept so long waiting, and why I never got a chance of a good situation, was, because I did not offer a higher percentage than that proposed. I can name three friends who thus purchased places in good schools, where they receive excellent pay, by offering and giving to the agents 25 per cent. of the salary for them. The sole reason why they got these places instead of other men equally worthy was that they paid the agents 37*l.* 10*s.* for them instead of 7*l.* 10*s.* All agents do not act thus, perhaps, but some certainly do.

'The agency that I entered into correspondence with first of all was in —— ——. Imagine the bone-house in our cemetery at home divided into four by lath and plaster walls, and in place of the skulls ranged round the walls on shelves put blue paper boxes labelled with names of schools, head masters, assistants, valuations for a liquidation, cuttings from newspaper advertisement sheets and the like, and you will get an idea of the interior of this scholastic agency. The divisions are numbered. They are all lighted from above; I verily believe the illumination of the system is from below. Room No. 1 is destined for clients less likely to be lucrative, in which they are expected to kick their heels daily for about three hours. No. 2 is the cell in which the actual swindling process is conducted. No. 3 is the den in which the cheap and profitable wretches are imprisoned. The object of No. 4 is to me unknown; it is, I suspect, the inner lurking-hole of the spider.

'When I called at an early hour, the head agent had not arrived, and his associate was content to have me there to help him in deciphering some French and German letters which had come in by the early post,—letters from flies caught by such advertisements as had caught me.

'I opened my eyes then. The light was beginning to dawn on me. Puppies, as every one knows, are born blind, but pitch them into the water, and they unclose their eyes instantly, get a glimpse of light, and drown. It was so with me. I was touching and about to sink in the water of adversity. I gained my sight at the same moment. I saw how the agents manage these matters. Many of the correspondents had sent certificated copies of their characters and qualifications. These were flung into the waste-paper basket. I was not allowed to read their letters through, all that was wanted of them was the five francs, sent for registration and postage, their names and addresses. The under-agent tore off the fly-leaves of their letters, as he snatched them from me, to use for his own correspondence with his victims, and tossed the letters themselves into the waste-paper basket.

'Presently in came Mr. B——, and blew and knocked out the ashes from his pipe: then told his partner where he could get the best *table-d'hôte* that day for a shilling, and took no notice of me. He seemed to me an intelligent man: he spoke with extraordinary facility and fluency German, English, French, Italian, and Spanish: he was also very familiar with the language of humbugs and hypocrites. If pleased with you, he was ready to chat on all sorts of subjects, to curse the French and bless the Prussians, or the reverse, to talk of war, politics, and commerce. Whence he comes I know not; but there is that in his eyes and nose and lips which makes me believe

he is an Israelite,—one of those whose home is the world, and to whom the Gentiles are for a prey.

'When we got into conversation, to my surprise I learned that he knew of no situation which would suit me. "Do you play the piano?" I said "not." "What a pity, I have just the very place for you, but music is a requisite." Dear friend! should fate ever bring you to England, and pitch you into the hands of scholastic agents, say you know everything—can play the trombone and dance the *bolero*; for that which a man *knows* is not wanted in English middle schools, but that which he does not know —that is what he is called upon, elected, to teach.

'One day the agent sent me all the way to Halifax to have a personal interview with a schoolmaster wanting a foreign teacher, and when I got there I was asked if I could draw. When I said that this was not one of my accomplishments, "I am very sorry," said the principal, "but my situation is not for you." And I had to pay my railway fare for nothing.

'The agent keeps a book of situations, copied from advertisements, or from applications made to him. He amuses the candidate with these, doled out once a fortnight. When the unfortunate man writes and sends his testimonials, or copies of them, he either gets no answer, not even his testimonials returned, or learns that the situation was filled up three months ago. I lost my original testimonials in this way. No writing and sending of postage stamps was of any avail, the schoolmaster kept testimonials and stamps, and left me without either.

'After having spent three months in London, I at last secured a mastership in a middle school at A——. I was not told by the agent that I was sent there only as a stop-gap, so I had to pay him thirty shillings,—5 per

cent. on the annual salary of 30*l.*, but as I was only wanted for three months, this was paying at the rate of 20 per cent. The principal of the school was a man of little education himself, but he had a son who had been sent to Cambridge, and was a clergyman. I did not see much of the latter. He was a curate somewhere; but it was intended that he should continue his father's school. It was evening when I arrived at A——. I was shown into the dining-room, just vacated by the pupils. The servant-maid offered me tea, and left me to await the head master. After a long journey I was given three wafers of bread-and-butter, all of which could have gone very well into this letter without making it overweight, and a cup of weak tea. I was very hungry, but there was nothing more to be got. After about half an hour in came the principal, made some remarks about the weather, and conducted me into a camera-obscura, where I found the whole body of teachers assembled. This dismal box served them as their common room—it was their study, parlour, barber's shop, place for gymnastics, in one. They did not associate with the head master and his family. His drawing-room was as inaccessible to them as the North Pole, or the throne-room at St. James's. I did not understand this cleavage at first: I did not then know that an usher in England is not supposed to be a man of respectability. He hangs suspended like Mahomet's coffin, between the clerk and the valet. He is not supposed to be trustworthy enough to be the former, nimble enough to be the latter. The look of the maid and the way in which she thrust the wafers of bread-and-butter across the table to me had surprised me. There was no attempt at courtesy. It was evident she treated an usher as a privileged beggar. She was not to blame: she partook, I believe, of the universal opinion. In Germany we look up to the schoolmaster, in England they look down on him.

When I made the acquaintance of my fellow-teachers, I felt that the prejudice was not without foundation. There was not one of them who could be introduced into a gentleman's drawing-room. The second master had been a carpenter, but had failed, and had taken up the scholastic profession. He was wholly self-taught. The other ushers were boys or old young men, with glossy coat-sleeves, patched small-clothes, and very dirty linen. As I entered the room with the principal, one was engaged inking his stocking, where a hole in his boot revealed it.

'There were in all four masters in this school, beside the second son of the principal, who taught drawing, and the daughter, who gave lessons on the piano. I received the highest salary. The carpenter received 25*l.* per annum; next came the son of a curate, aged 16, who received 20*l.*, and assisted the carpenter in taking Latin classes. The fourth usher was a poor wretch whose salary amounted to 15*l.* per annum, who taught reading, writing, and arithmetic. There were from fifty to sixty boarders in this collegiate ménagerie, each paying on an average 40*l.* per annum.

'The second master received me with urbanity. "Give us a flapper!" was his genial salutation. I was not then very proficient in my English, and his pronunciation somewhat puzzled me. "How is it that you call HORSE—*oss*?" I once asked him in my eagerness to acquire knowledge. "The *h* is harbitrary in Hinglish," he replied; "you chuck it in or drop it promiscuous-like." The head master took the first class; he managed translations with a crib. Parsing was as unknown as prosody in that school. Yet it was entitled a "collegiate school?" Just as the worst ale-houses with us bear the grandest signs, so in England the most abysmal educational establishments are collegiate schools and academies. I used to get swipes at the

"Kaiser-Krone," but excellent beer at the "Brown Bear," when at ——, and I doubt not good substantial education may be got at a national school, but only the rinsings of the cask of knowledge at a collegiate establishment. The second master, the *ci-devant* joiner, managed translations and exercises, also, with cribs. The mode in which exercises in Latin and French were done was curious. The teacher copied the "thema" from the key on a blackboard, and the boys corrected their own exercises by this. If a boy had neglected to do his task, it mattered not, he transcribed it from the blackboard. Then the corrected exercises were copied clean into a blank book by each boy. During the last fortnight before the end of term the evenings were spent by the principal, the ex-carpenter, myself, and the rest of the ushers in doctoring the exercise-books into strictest accordance with the keys, and touching up the drawing-books, putting silver-paper between the scrawls, mending covers, erasing blots, disguising smudges, and giving the books an appearance of tidiness they did not naturally possess.

'The principal having ascertained that I corrected the French and German exercises independently of a key, took me to task. I explained that I was as familiar with both languages as he was with his native tongue, that there were various ways in which a sentence might be turned so as to be grammatical, and that very often the form given in the key was not the best.

'"That does not matter," he said; "some of the parents of my pupils possess keys, and they look over their sons' copybooks with them, and if they find that the exercises differ from the printed book they charge me with inefficient teaching." In one of the exercises, the key gave the translations wrongly spelled, by a printer's error, "sacré-future" for "sacrificateur;" others had "clé," which, if not

wrong is antiquated or unusual, for "clef," and "glace" for "miroir." When doing up the exercise-books before the holidays, the head master obliged me to alter all the boys' exercises to accord with these blunders, though I pointed out to him that they were blunders, and showed him that they were with the dictionary. "I don't care for that," he said; "I have to consider the parents."

'All the classes were held in one room. This, I believe, is pretty general in England, but it is a great mistake. The attention of the scholars is distracted. The din is often deafening. One thing is gained by the arrangement: the principal can keep his assistant masters under his eye; and from my experience of assistant masters I think perhaps this is as well.

'I left this school at Christmas, and did not get another for four months, though the agents continued supplying me with notices. Oh! the numbers of letters and copies of my testimonials that I sent—all to no purpose. The next situation I got was at B——, not far from London. This school was a "Commercial Academy." It did not pretend to prepare boys for the learned professions, but for business. Judging by the prospectus, it was "go-ahead" in its adaptation to the wants of the nineteenth century, and supplied a crying want in the education of the country, was not bound by the old-world methods of mediæval grammar-schools, but sought to develop the intelligences and sympathies of the scholars in accordance with the spirit of modern civilisation.

'When I knocked at the door, the door was opened to me by a strange-looking wiry old fellow, with a red nose and a pair of cunning grey eyes. I asked after the principal. "I am he!" was the answer. It somewhat staggered me. This was hardly the J. Tomkins, Esquire, I had imagined. He looked as if he were more accustomed

to preying on his fellow-men than to enlightening them. Some men carry in their faces the fact that they are the parasites of social life. "Come along with me, Herr Professor," said he; "we have just sat down to dinner." He conducted me down a steep flight of stairs into a subterranean chamber, where I found about a hundred boys and girls ranged on either side of tables, waiting impatiently for the word of command to fall to at a lump of cold beef, bread, and a yellow bowl heaped up with potatoes. The girls, I must explain, were the seven daughters of the principal. The cold beef was cut by the principal, his wife and eldest daughter, in thin slices; each boy was allowed two films, two potatoes, and a large hunch of bread. Water was provided in abundance. But in the strawberry season no meat was put on table. "Now boys," said the principal, "take each your hunch of bread and a piece of cheese, and go—revel in the strawberries!" Alas! day after day were the strawberry-beds hunted over, and every berry greedily eaten before it was ripe, but the results little repayed the search. The strawberry season, when each boy managed to get a dozen fruit, saved the principal many a pound of meat. I was unable to satisfy the cravings of hunger whilst in that school with what was provided, and my little savings went in ordinary bread. How the boys lived I cannot imagine. We were allowed two pieces of bread-and-butter for tea. Supper of bread and cheese I paid for. It was deducted from my salary of 30*l.*

'The boys in this school belonged to the middle class. There was, however, among the boarders one forlorn parson's son, a delicate-looking lad, evidently better bred than the rest; and also most impecunious. I used to give him crusts of my privately purchased loaves. There was some difficulty in getting his school-bills paid. "But that don't matter," said the principal; "I like to keep a parson's son

in stock; then I can use his father as a referee. He serves as a decoy duck." The principal was a Scotchman. He had been half round the world in his time, and could speak, or pretended he could speak, French, German, Spanish, Portuguese, and Italian. He had been much in Chili and the Brazils, had opened a grog-shop at San Francisco, then had become a people's clothier somewhere in Wapping, and had at last dropped into the headship of this Commercial School, through his wife, I fancy. She was an heiress, and when her father died, the ancestral Do-the-boys' Hall fell to her and her husband. Thus the ex-sutler, grog-shop, sailors'-slops-dealer became a pedagogue—a guide and guardian of youth. His wife was bland and fat. He was a curious combination of a variety of characters. Underneath all lay Scottish canniness, then came a tincture of Yankee smartness, and then a dash of nautical good-fellowship. There was also a strong flavour of religiousness, but whether put on or ingrained I never could make out. It manifested itself in very long prayers before and after school, and in a fierce hatred of Catholicism. I never found that his religion stood in the way of his interests. The boys were all marched to chapel, but when he thought there was some chance of his getting the grammar-school, the headship of which was vacant, and for which he was a candidate, the school migrated to the church; when he did not get the post, they went back to chapel. The sanitary arrangements in the school were of the worst description. I was always obliged to sleep with my window open. The dormitory smelt like a sheep-pen. It was a wonder to me that fever did not break out in the school. Of one thing I am convinced; if there had been any truth in what sanitary authorities proclaim, like Sennacherib's army in the English Bible, when we arose early in the morning we should have found ourselves all

dead corpses. Men of science insist on so many cubic feet of air being necessary for man to inhale per hour, some dozen, I think. Why, these boys had for the eight hours of rest only about that number of superficial feet of atmospheric air, laid on as thin as the butter on their bread at breakfast.

'There was no other salaried master in the school but myself. The elder daughters of the principal took the music and drawing. His two sons, still in their teens, came cheap as junior masters. Often have I seen them, as soon as they dismissed their class, settle themselves cross-legged on the desk, and set to work tailor-fashion putting patches into the seats or knees of their breeches, laid aside in the tutorial desk to be pulled out and mended at odd moments.

'"We've one boy here who's a fust-rater at German, speaks and writes like a Dutchman—I taught him," said the principal one day, and he brought me a German letter composed by this paragon as a specimen of his powers. I begged and obtained leave to take a copy of it, and I enclose it.[1] The studies generally were on a level with this. I was engaged teaching during eight hours in the day. The rest of my time was taken up with looking after the boys at their play, or in school preparing lessons for the morrow. These boys were impressed with the idea that England was the noblest country in the world, also that everything English was admirable, and everything foreign barbarous, and that every foreigner should be treated with contumely. There was no civilising element in the school, nothing to elicit generosity of feeling, a love of truth, honour, and self-respect. Knowledge was held in no esteem; the best boy—the cock of the school they called him—was he who could knock down every other.

[1] I have not thought it necessary to reproduce it.

A boy ranked according to his capability to give black eyes and bloody noses. The play of the pupils consisted in pitching stones at one another, in kicking one another's shins, punching one another's heads, and pulling one another's hair out. The head boy had a board on which were glued specimens of the hair of every boy in the school, with their autographs beneath. It was his patent of nobility, his certificate of pre-eminence. Like an Indian chief he gloried in the scalps of his enemies; he had nothing else in which he could glory. "That's what makes Englishmen invincible," said my principal, when I complained to him of the brutality of the pupils. "That won us Waterloo." I admit that our German boys are heavy, but they are not barbarous. I wish our boys had cricket and football, but not that they should use their arms as bats, and other boys' heads as balls. But they learned this barbarity in school hours. The amount of thrashing that went on in the eight hours' school astounded me; it was like the monotonous cadence of a flail. In olden times, in England, on Ascension Day, lads were taken round the parish boundaries and whipped at fixed points. In after years, when those boys were men, they could swear to those boundaries in the event of a dispute. There are moral boundaries as well as parochial ones, and these the English schoolmasters seek to impress on boys in a similar manner. A lesson thus impressed is deemed to entail no injurious effects. Nature has provided a portion of the body with a delicate network of sensitive nerves, and has withdrawn from it all vital organs susceptible of injury; this, Englishmen argue, is for the express purpose of providing an organ for the reception of moral impressions, which it transmits to the heart, as the pupil of the eye conveys one sort of impression, and the drum of the ear conveys another sort, to the brain. That part of the

person which we in Germany hold in dishonour and contemptuously sit upon is in England regarded as the organ of the moral sense. As waves of light flow in at the eye, and vibrations of sound at the ear, so do moral ideas pulsate to the soul through that member, the medium of pulsation being a cane.

'I am no advocate for the complete abolition of corporal punishment. Nothing but a stick will make a donkey go. But incessant and indiscriminate beating demoralises, brutalises, hardens. At least that is the result I reaped from observations at B——.

'But let me return to the teaching in these middle schools. I have now been in a good number of them, and though I admit that some are under better discipline than others, the boys better fed and better instructed, yet I am satisfied that the education given is in none systematic, and educative of the best powers in a boy's mind and character.

'I was much interested one day with observing a painter engaged on adorning a deal chimney-piece in my principal's hall of reception. He daubed the deal all over grey. Then he dipped his brush in black, and with a stick bent back the hairs of the implement, and let them spring forward suddenly to their natural position, sending a shower of inky dabs over the grey paint. Then he repeated the process with his brush charged with pink, and next with yellow. I asked the artist what he was doing. He replied that he was marbleing the chimney-piece. Well! that was just the principle of the education in this establishment—I fear, in most middle schools in England. Of education, the moulding and bracing and broadening of the mind, as we understand it in Germany, they know nothing in England. They are a century behind us in their grammar-schools, and the middle schools are still

sunk in barbarism. The education of youth consists in this —first reducing the minds to a dull, dead, monotonous tint of indifference and intellectual paralysis, and then spurting over them a spray of disjointed facts; some stick, many are lost, but it matters not—all are worthless, and the result is a vulgar blotch. What a wondrous operation is that conducted by the herb of the field! Its roots gather and select ingredients from the soil, assimilate them, transubstantiate them, and reproduce them in flower and fruit. That is the principle of German education; it accumulates material about the intellectual root-fibres of the child, and teaches him to choose among them, imbibe them, transform them, and utilise them. Education, then, is but the facilitation of a natural process. In England it is the reverse; it is not vegetative, but petrifying. It kills the intellect, and allows only the memory to live as an adhesive substance, in which splashes and spray of undigested, unconnected facts may be retained. They are retained—mechanically.

'I had acquaintances in England, among English gentlemen of position and influence, having brought with me letters of introduction from Count —— and Baron ——, but I did not like to apply to them for recommendation till I had tasted the dregs of degradation in these vile schools. I will not weary you with details of others in which I spent some six or even twelve months. I tried them in all parts of England, and found them all much of a muchness. At last I entreated some of my English friends, whose names are pretty well known, to write for me. I found at once that the fact of my having influential English friends excluded me from these middle schools: Not a principal dare have me in his house. He feared lest the abuses of his system should be dragged to light. If I sent such a recommendation I got an answer by return

of post that the situation was filled. But, as I found out on inquiry, this was not the case. It was filled only with a haunting fear lest the iniquities of the school should be discovered by my means. By the assistance of my English friends I now got into a higher sphere—into endowed grammar-schools, not lodging in the school, but in the town, and going to the school to give my lessons. I am thus less able to speak of the system of education carried on in endowed grammar-schools. They are, most certainly, free from the abuses which prevail in private schools, but, as far as I can judge, they are not carried on upon anything approaching the scientific system to which we are accustomed in Germany. Their great defect is this: the reason is not trained; all effort is devoted to the storing of the memory, as if the great object of life was to Remember, not to Think. I believe this is the reason why the English mind is not philosophic, but matter-of-fact.

'A baleful influence on education in England has been exerted by competitive examinations. To get into the army, the navy, the civil service, the Church, a man must pass an examination. There are so many vacancies, and three times the number of candidates. A public examination is held, and the presumably best men are chosen. But this examination does not answer the purpose intended. It does not sift the inferior men from the good. It does not provide the army, the navy, the civil service, &c., with the men of best mental calibre, but the men best crammed for the examination. Those who are destined for the public service are trained to pass these examinations, not to be intelligent men. You have seen about Strassburg the geese being fattened for their livers. A piece of wood perforated in the middle is put as a gag across their bills, and then grains of Indian corn are run in through a funnel,

the nozzle of which fits the perforation in the gag. When the goose has had enough, it becomes uncomfortable and restive; then the operator removes the funnel, inserts a sort of ramrod, and crushes the grains together in the paunch of the creature. Then he dribbles in a few more grains, and rams again, till the goose cannot waddle. This is a picture of English education for the public service. The memory is the stomach of the mind. All that is sought is to load and overload it with facts. Now let me give you a picture of a competitive examination. I had a dear friend at Heidelberg, a Herr Schneider, who belonged to the same "Verein" as myself. One day—it was precisely the day of our annual supper—he was ill with inflammation of the lungs. He was, however, resolved to attend the supper, so he went to an apothecary and purchased two bottles, one of croton oil for external application, the other of syrup for the comforting of the inner mucous membrane. Armed with these, he returned to his lodgings, deposited them near his bed, drew on his top-boots, buckled on his sash, and went off to the supper. Late at night he returned to his lodging, cheerful but coughing, and with cheeks and nose as fiery as his tonsils and uvula. Before he tumbled into bed he hastily drank off one bottle of medicine, and was about to rub his chest with the other, when he was aware suddenly that he had imbibed the croton oil instead of the syrup. In an agony of fear he called up a neighbouring student and sent him for a doctor. When the doctor heard what had happened, he said sadly: "Schneider is a dead man." However, he took his stomach pump and went to see him. Herr Schneider was seated motionless in an armchair, blank in face, and gaping like a young pheasant with the pip. The medical man at once let the tube of his pump down his throat, worked with a will, and brought up the entire

supper; with it—last, not least, as a lump of soap in the midst of the mass, the dose of croton oil. The croton oil had lodged in the supper, and had not touched the coats of the stomach, cut off from them by the supper. Schneider was saved! Imagine, my friend, a hundred abject wretches seated in a row down a long hall, on hard benches, each with a syphon down his throat, and a public examiner pumping out his contents, and you get some idea of an English examination for a Government office. But this is not all. The evacuations of these unfortunates are arranged and compared, and those who prove to have held most in quantity and most indigestible in substance are chosen to serve their country. A man who mentally had performed Herr Schneider's feat, and could bring up a clot of croton oil, would pass triumphantly, and be thought to have deserved well of his country.'

I must now leave my lively contributor's experiences and criticisms of English education to speak of that which prevails in Germany. I do not pretend to do more than sketch this very lightly. So much has been written already on the subject that is accessible to every reader, that I do not think it necessary to re-tell a thrice-told tale, at all events, not to enter into its particulars.

In the Prussian Constitution of 1850 stands the following provision:—

'Every one is free to impart knowledge, and to found and conduct establishments for instruction, when he has proved to the satisfaction of the proper State authorities that he has the moral, scientific, and technical qualifications that are requisite. All public and private establishments are under the supervision of authorities named by the State.'

That is to say, the education of the country is taken, like the post-office and the railways, into the hands of the

State. The State will guarantee to the country that no man unqualified shall physic their bodies or educate their minds; it supervises the butchers' shops, that no diseased meat shall be sold, and the schools, that no unwholesome teaching shall he imparted. It is quite a mistake to suppose that Germans regard this as an exercise of a despotic authority on the part of the Government; they are thankful for it as a protection. I do not suppose that Londoners resent interference by the authorities with the dilution of milk with fever-infected water, and its adulteration with chalk and horsebrain. It is a nuisance to have to try your milk every morning with a lactometer, and the parent ought to be grateful not to be obliged to dip a lactometer daily in the instruction given to his sons. Germany is divided up into Bezirke—circles, each containing from six to twenty or thirty parishes. On entering a village the first object that strikes the traveller's eye is a board, on which is painted, first, the name of the village, second, the name of the Bezirk to which it belongs. The Bezirk, the smallest State division, is controlled by a civil officer, called a Landrath. Associated with the Landrath is a school-superintendent. Each parish has one elementary school or more, according to its requirements.

In order to bring the youth to these schools, education is made compulsory. Every child, male and female, from the age of six to fourteen, is obliged to attend school. Regular attendance at school is enforced, if necessary, by the police. The police-office of every village makes out a list of all children of school-age, and hands it in to the local School Board connected with each school, which is then responsible for the children's attendance. The teacher keeps a list of absentees, marking those who are absent without reasonable excuse. This list he passes to the Board, which proceeds to admonish the parent, and if

admonition proves ineffective, the parent is fined or sent to jail. In Saxony the number of compulsory years is eight, and every day missed during those eight years has to be made up afterwards; and this plan has been found to answer admirably. The usual hours of school are from eight o'clock till noon, and from two o'clock till four in the afternoon. The education given in these primary schools is of the most elementary condition. The general division of subjects during the week is this:—religion, six hours; reading and writing, twelve hours; ciphering, five hours; and singing, three hours. Nothing can be simpler or more practical; every incentive to the exhibition of superficial accomplishments is taken away. There are examinations, but they are not converted into opportunities of tormenting and puzzling the children, and stimulating the teachers to pretentiousness and hollowness. Mr. Pattison, in his Report on the Prussian schools in 1861, says of them, 'They may aim at little, but the principle is to achieve it. It may look, too, like the cultivation of the imagination, but it is possessed of a practical spirit which permits of no showing off.' The instruction is kept down to what is purely elementary, but that is required to be most thorough. The masters for these schools are provided from colleges, Government establishments, where they are trained. The cost of board is very trifling; and as the students do all their own serving except cooking, the whole expense is little more than the cost of their food. The instruction is distributed over three years. At the end of this period, the student is examined; if he passes he becomes a 'Wilder,' a wild man, and goes for three years as assistant in a large school, where he may learn the practical application of his knowledge. When this three years' probation has elapsed, the teacher is competent to take a parish school himself. His position is then one of respectability. The pastor, the

schoolmaster, and the apothecary are the magnates and authorities of the village. Almost everywhere—I have not met with an exception—the village schoolmaster is a person it is a pleasure and profit to associate with. He is intelligent, well read, and full of interest in political and social questions, and always ready to impart local information on antiquarian and historical subjects, or matters of natural history.

Now let us pass to the higher schools. Of these there are two types, the classical and the commercial.

The classical schools are the 'Progymnasium' and the 'Gymnasium,' leading directly to the university and to the learned professions. The commercial schools are the Upper Bürger-Schule' and the 'Real-Schule' leading to trade.

The Gymnasium has six classes, not numbered, as ours, from below, but from above: a sixth-form boy is not in Germany at the head, but at the tail of his school.

It is hardly necessary to describe the 'Progymnasium,' which is only a preparatory school for the other, and which is modelled on its type. In the Gymnasium the pupils in every class but the lowest get thirty hours' schooling at least in the week, those in the lowest get twenty-eight. There is one half-holiday, which is in the middle of the week. The first, second, and third classes are usually divided into upper first and lower first, and so on.

The table on next page gives the prospectus of hours and studies.

The school hours are in the morning from seven to about eleven in summer, from eight to about twelve in winter; in the afternoon they are from two to four all the year round. Where there is not in the same town a Real-Schule, pupils at the Gymnasium are allowed to substitute English, or some other subject for Greek. But in the

*Plan of Studies in the Gymnasium.*

| | VI | V | IV | IIIb | IIIa | IIb | IIa | Ib | Ia | Total |
|---|---|---|---|---|---|---|---|---|---|---|
| 1. Religion | 3 | 3 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 20 |
| 2. Writing | 3 | 3 | — | 2 | — | — | — | — | — | 6 |
| 3. Drawing | 2 | 2 | 2 | — | — | — | — | — | — | 6 |
| 4. German | 2 | 2 | 2 | — | 2 | 2 | 2 | 3 | 3 | 20 |
| 5. Geography and History | 2 | 2 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 25 |
| 6. Mathematics | 4 | 3 | 3 | 3 | 3 | 4 | 4 | 4 | 4 | 36 |
| 7. Natural Science | 2 | 2 | — | 2 | 2 | 1 | 1 | 2 | 2 | 14 |
| 8. French | — | 3 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 17 |
| 9. Greek | — | — | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 42 |
| 10. Latin | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 8 | 8 | 86 |
| 11. *a.* Latin, *b.* English, *c.* Hebrew — Voluntary extra hours | | | | | | | | | | |
| Total | 28 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 268 |

Gymnasium as in the Real-Schule, there is no attempt made at *special* training for a particular profession. This is strictly prohibited. The object of the education is to broaden the mind, and all specialisation, if undertaken before a broad basis be laid permanently, dwarfs the mind. There are colleges and faculties in the universities for special studies, but these must be entered on after a general and solid basis of culture has been laid.[1]

Of Real-Schulen there are several kinds. That with *nine* classes is the Real-Schule *par excellence*. That with *six* classes is usually called the Upper Bürger-Schule. There are also Real-Gymnasia, where Latin and Greek are taught. In the Real-Schulen Latin is taught, but chiefly in the lower classes. In the first it is given the minimum of time, three hours in the week; and in this class, and in the second, the time devoted to mathematics and the

[1] The cost of education in the lowest class in the Gymnasium is forty-four shillings a year; in the higher classes (IV. and V.) fifty-four shillings; in the highest (I., II., III.) sixty-four shillings. The entrance fee is four shillings.

natural sciences amounts together to eleven hours a week. French has most time allotted to it, and English becomes a part of the curriculum of study. Drawing also assumes an importance not allowed it in the Gymnasium.

*Plan of Studies in the Höhre Bürger-Schule.*

| | VI | V | IV | III | II | I | Total |
|---|---|---|---|---|---|---|---|
| 1. Religion . . . . | 2 | 2 | 2 | 2 | 2 | 2 | 12 |
| 2. German Language . . | 6 | 5 | 4 | 4 | 4 | 4 | 27 |
| 3. French „ . . | 7 | 7 | 6 | 6 | 6 | 6 | 39 |
| 4. English „ . . | — | — | 3 | 3 | 4 | 4 | 14 |
| 5. Geography . . . . | 2 | 2 | 2 | 2 | 1 | — | 9 |
| 6. History . . . . | — | — | 2 | 2 | 2 | 2 | 8 |
| 7. Mathematics . . . | 4 | 4 | 3 | 2 | 3 | 3 | 19 |
| 8. Geometry . . . . | — | 2 | 2 | 2 | 1 | 2 | 9 |
| 9. Geometrical Drawing or Descriptive Geometry | — | — | — | — | 2 | 2 | 4 |
| 10. Physics and Natural History | 2 | 2 | 2 | 4 | 2 | 3 | 15 |
| 11. Chemistry . . . . | — | — | — | — | 2 | 2 | 4 |
| 12. Drawing . . . . | 2 | 2 | 2 | 2 | 2 | 2 | 12 |
| 13. Singing . . . . | 2 | 2 | 2 | 2 | 2 | 2 | 12 |
| 14. Athletics . . . . | 2 | 2 | 2 | 2 | 2 | 2 | 12 |
| 15. Writing . . . . | 3 | 3 | 2 | 1 | — | — | 9 |
| Total . | 33 | 33 | 34 | 35 | 35 | 36 | 205 |

The first class is divided into Upper (B) and Lower (A).

Class 1 consists of boys of from 11 to 12 years. The second class is similarly divided, and contains boys of from 12 to 13.

The third class, also divided in like manner, comprises boys from 13 to 14; the fourth class, undivided, is filled with boys of from 14 to 15; the fifth class with boys of from 15 to 16; and the sixth class with boys of from 16 to 18.

The school year begins on September 30.

The annual cost of education in the Upper Bürger-Schule is,—in the lowest class a *guinea*; in the fifth, fourth, and third classes thirty-one shillings; and in the

two upper classes forty-two shillings. There is also an entrance fee of two to three shillings.[1] For this price a really first-rate education can be had. The teachers are all thoroughly approved men of learning and abilities.

English or other foreign boys are admitted to these German schools as 'guests.' That is, they attend school for half the day; they are allowed to attend the class lessons and lectures,—they can, if they like, remain the whole day, but this is hardly advisable at first. These pupils become gradually accustomed to hearing German, and become familiarised with the words and pronunciation. Later, they are asked questions with the class. This is a most admirable plan, when combined with private lessons at home. But it does not answer to send English boys to a German school, Gymnasium or Real-Schule, entirely, till they are thoroughly familiar with the language. One thing English boys have to learn, which is to them a difficult acquisition, and that is,—to sit still and give their whole attention to what is before them. If they do not, they are turned out of the school with very little ceremony.

An English officer writes to me: 'My eldest boy went to the Upper Bürger-Schule here, at the age of fourteen, when I first came here. He is a quiet attentive lad, who makes use of his wits. I paid for him first forty shillings yearly, and then, when he got into the highest class, fifty-two shillings yearly. Before he was seventeen years of age he had passed into Woolwich, and passed ninth, being first in some subjects; and I believe he would have topped the whole lot if he had been up in classics, but at the

[1] This is the price for Upper Bürger-Schulen in Baden, at Karlsruhe, Pfortzheim, Heidelberg, Freiburg. It is much the same everywhere else. The payment is quarterly. If pupils come out of a preparatory school, there is no entrance fee paid. Guests pay a little more.

Bürger-Schule he had not the opportunity of working on at them, and his Latin had been neglected since he left England. I attribute his success entirely to his work at the Bürger-Schule, and the excellence of the education there given.'

The education of girls has been also vigorously taken in hand in Germany, but is not as thoroughly systematised as that of boys. There are still a vast number of private schools, many most excellent, none thoroughly bad, or they would be put down by Government. In all these the education is moderate in cost. I sent my children under nine to a school conducted by a lady of rank, and paid for them one shilling each per month. A girl may obtain a thoroughly sound and superior education for seven pounds a year. But, in addition to the private schools are the public Höhre Töchter-Schulen, conducted under the auspices of the town. In Baden, the Government has drawn up a scheme of education for the upper girls' schools, and this is followed in all the establishments provided in the towns by the Council. (See table on next page.)

The education of girls is now a matter of so much interest in England, that I shall make no apology for giving a fuller programme of the work of the different classes in one of these Upper Töchter-Schulen for the year 1877-8.[1] In some there are seven classes only.

10TH. CLASS. (FIRST YEAR AT SCHOOL. AGE, SIX.)

*Religion.*—A. (*Catholic*): In summer, learning of daily prayers; in winter, learning of principal Christian verities put into verse. B. (*Protestant*): Bible stories; learning by heart of moral sentences.

*German.*—Reading and spelling and writing letters.

[1] I do not give particulars of all subjects, as unnecessary.

*Plan of Studies of the Upper Töchter-Schule.*

| | X | IX | VIII | VII | VI | V | IV | III | II | Ib | Ia | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1. Religion | 2 | | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | — | 20 |
| 2. German Language | 9 wint. | 9 | 8 | 7 | 7 | 5 | 4 | 4 | 3 | 3 | 1 | 60 |
| | 7 sum. | | | | | | | | | | | 58 |
| 3. Object-lessons | 3 wint. | | 3 | — | — | — | — | — | — | — | — | 8 |
| | 2 sum. | | | | | | | | | | | 7 |
| 4. Mathematics | 5 wint. | 5 | 5 | 3 | 3 | 3 | 3 | 3 | 2 | 2 | — | 34 |
| | 4 sum. | | | | | | | | | | | 33 |
| 5. Singing | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 2 | — | 13 |
| 6. Writing | — | 2 | 2 | 2 | 2 | 2 | 1 | — | — | — | — | 11 |
| 7. Handwork | — | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | — | 18 |
| 8. French | — | — | — | 6 | 6 | 5 | 4 | 5 | 7 | 7 | 4 | 44 |
| 9. Geography | — | — | — | 2 | 2 | 2 | 2 | 2 | 1 | — | — | 11 |
| 10. Natural History | — | — | — | 1 | 2 | 1 | 2 | 2 | 2 | 2 | 3 | 15 |
| 11. Athletics | — | — | — | 2 | 2 | 2 | 2 | 2 | 2 | 2 | — | 14 |
| 12. Drawing | — | — | — | — | 2 | 2 | 2 | 2 | 2 | 2 | — | 12 |
| 13. History | — | — | — | — | — | 2 | 2 | 2 | 2 | 2 | 2 | 12 |
| 14. English | — | — | — | — | — | — | 4 | 4 | 4 | 4 | 2 | 18 |
| Total | 20 wint. | 23 | 23 | 28 | 31 | 29 | 31 | 32 | 31 | 30 | 12 | 290 |
| | 16 sum. | | | | | | | | | | | 286 |

*Object-lesson.*—The school-room; the house and sitting-room; the cat, the dog, the goose, the ass, &c., with anecdotes.

*Arithmetic.*—Simple arithmetic and use of counter-frames.

*Singing.*—Simple songs by ear.

### 9TH CLASS. (SECOND YEAR AT SCHOOL.)

*Religion.*—A. (*Catholic*): In summer, Bible history from Creation to Flood; in winter, the Gospel story. B. (*Protestant*): Selected narratives from the Bible. Moral sentences and three hymns.

*German.*—Reading, writing, spelling, and dictation.

*Arithmetic.*—Addition, subtraction, and multiplication tables.

*Object-lesson.*—In summer, plants and trees; in winter, animals.

*Handwork.*—Knitting and purling.

8TH CLASS. (THIRD YEAR AT SCHOOL.)

*Religion.*—A. (*Catholic*): Small Catechism. In summer, the doctrine of Creation; in winter, the doctrine of Redemption, and the Ten Commandments committed to memory. The Bible history to the end of the story of Joseph. B. (*Protestant*): Selected stories from the Old and New Testaments. Moral sentences and four hymns learned by heart.

*German.*—1st Reading Book. Simple grammar.

*Arithmetic.*—Counting up to 1,000, then to 100,000, and simple sums.

*Object-lessons.*—Knowledge of the plan of the town, and historical associations with the different parts and buildings; knowledge of the district round, and the height of the hills and course of the streams.

*Handwork.*—Stocking-knitting.

7TH CLASS. (FOURTH YEAR AT SCHOOL.)

*Religion.*—A. (*Catholic*): Second Catechism. In summer, the first articles of the Creed, and doctrine of the Angels; in winter, the Creed to the eighth article. In summer, Bible history of the infancy of Jesus; in winter, Bible history of the Passion. After Christmas, instruction on contrition for Sin. B. (*Protestant*): Old Testament history of Patriarchs. The Parables. Two hymns, and sentences from the Catechism.

*German.*—2nd Reading Book. Ten pieces of poetry committed to memory. Grammar.

*French.*—Easy translation.

*Arithmetic.*—Compound sums; weights and measures tables.

*Geography.*—The immediate neighbourhood, district, and province, in their natural and political divisions.

*Natural History.*—In summer, description of the plants in the neighbourhood; in winter, animals of all sorts.

*Music.*—Beginning scales and notes; unison singing.

*Athletics.*—Drill, marching, also exercise of muscles, arms, legs, and spine.

*Handwork.*—Knitting of stocking-feet.

### 6TH CLASS. (FIFTH YEAR AT SCHOOL.)

*Religion.*—A. (*Catholic*): Second Catechism. In summer, the doctrine of Grace, of Baptism and Holy Unction; in winter, the Commandments. Old Testament history to the entrance into the Promised Land. B. (*Protestant*): Old Testament history to the division of the kingdom. Longer moral sentences. The doctrine of Prayer, and the Lord's Prayer. Four hymns, with biographies of their composers.

*German.*—3rd Reading Book. Twenty poems committed to memory. Lessons in punctuation and grammatical construction. Composition (anecdotes and descriptions).

*French.*—Grammar and translation. Auxiliaries *avoir* and *être.*

*Arithmetic.*—Compound sums in mental arithmetic, &c.

*Geography.*—Europe; elementary general geography.

*Natural History.*—In summer, botany; plants of Germany; in winter, mineralogy, minerals and rocks of neighbourhood, and of the province.

*Drawing.*—Elementary.

*Singing.*—Two-part songs.

*Handwork.*—Crochet, marking, cross-stitch.

*Athletics.*—Drill, various exercises for developing the muscles and making the limbs flexible.

5TH CLASS. (SIXTH YEAR AT SCHOOL.)

*Religion.*—Catholic and Protestant, with the 6th class.

*German.*—Composition, précis, sixteen poems committed to memory.

*French.*—The four regular conjugations, short stories.[1]

*Arithmetic.*—Decimals.

*Geography.*—The German Empire.

*History.*—Elementary general ancient.

*Natural History.*—In summer, botany—structure of plants. In winter, zoology.

*Drawing.*—Foliage (architectural), and curves.

*Singing.*—Four-part songs.

*Handwork.*—Fancy knitting for stockings, &c.

4TH CLASS. (SEVENTH YEAR AT SCHOOL.)

*Religion.*—A. (*Catholic*): Great Catechism. In summer, the doctrine of Faith, and of the Church; in winter, the doctrine of Grace and of the Sacraments; the life of Christ—especially the Ministry and Passion. B. (*Protestant*): Catechism (1st and 2nd parts), the travels of St. Paul, history of Protestant hymnody.

*German.*—Composition of letters, stories, and descriptions.

*Arithmetic.*—Discount, Per-centage, &c.

*Geography.*—Mountain and river systems, the countries and capitals of Europe.

[1] It is unnecessary to give the particulars of the advance in the curriculum of *French*, in the upper classes.

*History.*—German history to 1815.

*Natural History.*—Botany, scientific, the families and groups of plants; zoology, scientific, the families and groups of animals.

*Drawing.*—Leaf and flower drawing.

*Handwork.*—Crochet of various sorts, lace-making.

3RD CLASS. (EIGHTH YEAR AT SCHOOL.)

*Religion.*—Catholic and Protestant with the fourth class.

*German.*—Prosody, lectures on the Ballads of Schiller, Goethe, and Uhland; 'Wilhelm Tell;' composition, business letters.

*Arithmetic.*—Book-keeping, land-surveying.

*Geography.*—Europe, Asia, Africa, America, and Australia.

*History.*—Greek and Roman, German 'Sagen' and mythology.

*Natural History.*—Progressive from what was begun in Class 4.

*Drawing.*—Boughs, landscapes, fruit and flowers.

*Handwork.*—Needlework, various stitches, making of table, bed, and body linen.

2ND CLASS. (NINTH YEAR AT SCHOOL.)

*Religion.*—A. (*Catholic*): Church history from the Reformation to the present time. B. (*Protestant*): The Gospel of St. John, and Epistles; the history of Protestantism from the seventeenth century to the present time.

*German.*—History of German literature, the Nibelungenlied and Gudrunlied; poems of Walther v. Eschenbach, composition of essays.

*Mathematics.*—Plane geometry, extraction of square and cube roots.

*Geography.*—Physical geography, the celestial chart.

*History.*—German history to 1500, specially with reference to culture.

*Physics.*—Inductive reasoning, the structure of the human body, the law of gravitation, magnetism, electricity, the law of heat, &c.

*Drawing.*—Landscapes, beginning of heads.

*Handwork.*—Needlework; cutting out and sowing of linen for females, point-lace, embroidery stitches.

1ST CLASS, B. (TENTH YEAR AT SCHOOL.)

*Religion.*—Catholic and Protestant with the second class.

*German.*—History of literature, history of Europe from 1500 to 1748, with biographies of the most eminent men in that period: Klopstock, 'Messiah;' Lessing, 'Minna von Barnhelm' and 'Nathan;' Goethe, 'Iphigenia,' 'Hermann und Dorothea;' Schiller, principal poems, 'Wallenstein;' the other classic writers, and the tendencies of their works; composition, précis, and descriptions of character.

*Mathematics.*—Continuation of studies in the ninth class.

*History.*—General European history since 1500.

*Physics.*—Continuation of studies in the ninth class.

*Handwork.*—Needlework, cutting out and sowing of men's and women's linen, point-lace, and various lace stitches.

1ST CLASS, A.[1]

*German.*—History of modern literature, Goethe's 'Tasso.'

[1] This class is for girls of seventeen to nineteen, who after finishing

*French.*—History of French literature.

*English.*—Shakspeare, Walter Scott, selections from Charles Dickens.

*History.*—Greek and Roman history, with special reference to literature and art, history of architecture and sculpture.

*Natural History.*—The morphology of plants, comparative anatomy.

*Physics.*—Correlation of physical sciences.

The school-year begins on May 1. In the three lowest classes the payment is 24*s.* a year, in the 7th to the 4th is 36*s.*, and in the superior classes 48*s.* There is also an entrance fee of 2*s.*

For a really trifling sum a first-class education for boys and girls may be had in Germany—an education, the like of which for completeness is not to be got in England. Many English parents are finding this out, and are migrating to Germany to avail themselves of this great privilege. This, of course, the wealthy can do; but not those who are tied down by their business. They must send their children to inferior English establishments, where for a third-rate education they pay an exorbitant price. A German schoolmaster, who had English boys under him as well as those of his own nation, said to me: 'I cannot understand English boys. They play at their work, and they work at their play.' This is a true remark. As a general rule they do not take interest in their lessons, and they do take a lively, vigorous, exhausting interest in cricket and football. German boys have no public games. All their energies are used up in their studies. They take no violent exer-

the regular course wish to continue their studies. They get only twelve hours a week instead of thirty as in the previous year, as they are supposed to have less time for study, their domestic and social duties demanding the major part of their time.

cise except on the ice in winter. School-work is exhausting, and it takes all their energies out of them. In it they do take an interest. And the reason—or one principal reason—why they do, is because from early childhood it is impressed on them that their whole future depends on it. The Abiturienten-Examen is the day of judgment looming before the children's eyes, and their childish life is a solemn march to that *Dies iræ*. At the close of youth, before entering on manhood, comes the terrible day which irrevocably fixes their fate. Unless they issue from that examination with a testimonial of 'ripeness,' every learned profession is closed to them, and three years' military drill instead of one is their doom. As the boy goes to school, he passes the barrack-yard or the Platz where the recruits are drilling. He sees them posturing, goose-stepping, tumbling, fencing, marching in mud or snow; and he thinks 'I shall have three years of this unless I work!' and it acts as a daily stimulus to exertion.

But this is not all. The German masters have the knack—the art, rather, for it is the result of experience and study—of making their teaching interesting to their pupils. The system is simply this—the development of the reasoning powers in the boy. This is the great aim of German education, to make thinking men; there is no effort made to store the mind with a multitude of facts, but there is every effort made to train the mind to build something out of any number of facts tossed capriciously before it—to teach it to analyse, compare, and classify them.

This is the theory of education of boys. It is not carried out as a system in the private girls'-schools; it is probably not as advisable. Accuracy of detail is perhaps more necessary in girls than broad principles. The

memory deserves among them cultivation rather than the reason.

The examination of boys leaving school—the examination which determines whether they shall serve three years or one in the army, whether they shall enter the army, be schoolmasters, pastors, lawyers, physicians, &c.—is held about three weeks before the close of the half-year. The examining body is composed of the director of the gymnasium, and the professors who teach the first class, a representative of the School Curatorium, the Government Commissioners, and a member of the Provincial Board. The *Abiturient*, or leaving boy, must have spent two years in the head form. He is examined in subjects on the same level as the teaching in this form, but he must *not* be examined in books and authors he has worked at in his class, and special care is taken to avoid 'cram' qualifying for passing. He is examined *generally* in his mother tongue, Latin, Greek, French, mathematics and physics, geography, history, and divinity. Every effort is made to test the intelligence rather than the knowledge of the Abiturient. The paper work lasts a week, and then comes *vivâ voce*. Each performance is marked *insufficient*, *sufficient*, *good*, or *excellent*, and no other terms and no qualifications of these are allowed.

It will be seen from what has been said, how studiously the Germans avoid doing that which we, English, by our competitive examinations, labour to do. 'So well do the Prussian authorities,' says Mr. M. Arnold, 'know how insufficient for their object—that of promoting the national culture and filling the professions with fit men—is the bare examination test; so averse are they to cram; so clearly do they perceive that what forms a youth, and what he should in all ways be induced to acquire, is the orderly development of his faculties under

good and trained teaching. With this view all the instructions for the examination are drawn up. It is to tempt candidates to no special preparation and effort, but to be such as a scholar of fair ability and proper diligence may at the end of his school course come to with a quiet mind, and without a painful preparatory effort, tending to relaxation and torpor as soon as the effort is over.'

Admirable as the German system of education is, I cannot but believe that too much mental work is exacted of the boys. The school hours are too long: at least seven hours in the day, and if, as is frequently the case, the pupils take up an extra subject, eight. To this must be added two hours in the evening of preparatory work for the morrow; this makes nine or ten hours a day at their books. As a natural consequence, they have no will or energy for physical exertion. Dr. Adolf Boginsky, in an article in the 'Deutsche Medicin. Wochenschrift' for February 1, 1877, states as undeniable that the present system of education in Germany is producing three serious results. In the first place, children are becoming annually and in greater numbers more short-sighted; secondly, their physical health deteriorates; and, thirdly, the propagation of infection is encouraged. Into the third objection I will not enter, as to some extent inevitable. The other two demand more attention.

Short-sightedness is unquestionably on the increase, and is already interfering with the efficiency of recruits for the army. Dr. Boginsky attributes it to the use of slates. These get smudged, and the eyes are strained to decipher what is written on them. But this is not the only cause. In 1876 a Breslau physician published some interesting observations on the subject of defective vision. Short-sightedness, and sometimes entire loss of sight, seems to be one of the all but inevitable accompaniments

of the dangerous art of reading. The unlettered peasant has almost always good eyes, and out of one hundred Silesian boors only two could be found whose sight was not in perfect condition. These clear-visioned labourers had naturally lived much in the open air; and though it is to be presumed that, in accordance with the law of compulsory education, they must all have been to school, they had somehow succeeded in not learning to read. Out of 10,000 school-children of the age of fourteen, on the other hand, it appeared that no fewer than 1,004 had suffered in sight, and were obliged either to use glasses or to abstain altogether from books; while of persons above the age of fourteen, whose eyes had been trained to read small and other print, no fewer than 63 per cent. were either short-sighted or in a greater or less degree unable to see. Of school-children under the age of six, 5 per cent. had already suffered in their eyes; up to the age of eleven, 11 per cent. had been so affected; while the percentage rose to 19 per cent. at the age of thirteen; to 26 per cent. at the age of eighteen, and to 43 per cent. at that of twenty-one. Very few persons, it seems, are born with defective vision, and the figures above cited show that the injury done to the eyes by poring over 'miserable books' is progressive from infancy to mature age.

A child's eyes, like its vocal organs and its fingers, are naturally capable of a great deal. In the pipe of the child are all the tones of every human language; and any infant could be educated to pronounce German gutturals, French nasals, or Hottentot lingual clicks. All notes are there *in posse*, but education restrains, rigidifies the organ of voice, and forms it into an instrument for the pronunciation of only a certain class of sounds. Up to fifteen a child can learn to pronounce any language. At that age its power of phonetic modulation is curtailed,

and a language may be learned after that period, but never be pronounced properly. A child's fingers are capable of the most varied and rapid movements. If we take advantage of this flexibility and keep it up, it will become a skilful pianist; neglect it, and the muscles rigidify, and after fifteen it will be useless to teach it to play the piano. A child's eyes are capable of being focussed on objects remote or near. But if the child be taken, and for ten hours in the day be made to focus its eyes on tiny characters six inches off its nose, and this process be prolonged for twelve or fifteen years, then the eye is educated to short-sightedness. It is not given time for exercise in focussing itself on distant objects. A child naturally uses its left hand as readily as its right; we discipline it *not* to use the left hand. So with the eye. Naturally calculated to see what is distant as well as what is near, by our school exigencies we rob it of its facility to see what is afar, and screw it to a focus six inches beyond the tip of the nose. Curtail the hours of school, or in school use oral teaching instead of books, and rigidly forbid a child a book out of school, and it will not grow up to use spectacles.

Dr. Boginsky also says that the day's schooling in Germany leaves the boys in the evening prostrate, listless, and without appetite. They are apathetic to everything that encourages physical health, and at night suffer from want of sleep, or toss in their beds, and are afflicted with headaches. This is also true. 'To be boy eternal'—the thought of Polyxenes—has little meaning in Germany. There Boy is but the diminutive of Man. Responsibility falls too soon on the young shoulders, and crushes the elasticity of youth out of childish hearts.

The school system is such a strain on the vital energies of youths that their physical health would be permanently

deteriorated did not the year of military service come in like the Jubilee, to give the exhausted frame rest and time for recovery by emancipating it for a twelvemonth from the exactions of the brain.

There is one point—and, I believe, only one—in which our public schools stand unrivalled in the results they achieve. The best class and school-room in them—the only one which produces really excellent results—is the playground. There the jostling together of boys' minds, passions, bodies, disciplines the future man, and there the boy acquires that practical common-sense, that clear perception of the bearings of a case, which distinguishes him from a French or German boy. I have heard the remark made by foreigners experienced in English as well as foreign education, that no boys are like English boys for facility in forming a healthy judgment. German schools have no playground, German boys no games. They are separated from one another by nine inches on their forms in school, and are wider apart when they leave the school-room. They never obtain a practical knowledge of life. They grow up to live in worlds of their own creation, in ideas and theories which are not brought to the test of practical experience. It is the 'faculty' of common sense, which is cultivated with distinguished success in our playgrounds, which redeems the English schools from the sentence of utter badness which they would otherwise deserve. And it is the absence of this 'faculty' in the German prospectus which vitiates so much of the excellent teaching imparted. Better give the pupils a good playground, and confine them daily for three hours within its barriers, than seat them for the same time before a black-board to study the theory of Political Economy.

A century hence, when the English middle classes

shall see the injustice done them in being made to pay ninepence in the pound for the education of poor children to supplant their own sons incompetently educated in the race of life, it is to be hoped they will adopt the German system without its blemishes.

We have endowed schools, but they are under no supervision. They may be good one day and bad the next; they are given their character by the ruling head-master for the time. Perhaps the most striking feature in the present condition of endowed grammar-schools is the entire want of organisation among them. Each school is independent of all others, and indeed of every-body and everything save the statutes by which it is governed. There is no subordination of one school to another, no classification, no arrangement of work among them. They each give the sort of education that it pleased the founder three hundred years ago to appoint, or that suits the idiosyncracies of the present master, without any regard to the wants of the present population and the demands of modern culture. They teach Latin and Greek almost exclusively, and teach it in a manner supposed to be best suited to qualify for the universities. Yet the proportion of scholars at grammar-schools who desire to be prepared for the universities is exceedingly small. Rich endowments are wasted in providing an education not meeting modern demands. The boys, an immense majority of the whole number, are compelled to begin a course of classical learning that cannot possibly be finished during their school career, and will be of no earthly use to them in their future business, simply because the master wishes it to be said that he has sent a dozen boys to the universities during his mastership.

What a vast amount of money is wasted or misused which, if in the hands of the State, might be utilised for

education to answer the exigencies of modern times! It is not, indeed, to be expected that the Government in our island should confiscate these abused endowments, sweep all the receipts into a common educational fund, and grapple with the education of the country in a comprehensive and vigorous manner. Bold measures are not popular in England; abuses are like cats, they have nine lives. There is now provision made, in a' cumbrous and expensive fashion, it is true, for the proper education of the lower classes. The State does secure that their children shall be given a sound elementary education, and by properly certificated teachers. But the same provision should in justice be made for the middle class. Mr. Squeers was not killed by Nicholas Nickleby. There are a legion of Do-the-boys' Halls much nearer St. Paul's than Yorkshire, where, if the pupils be not exposed to the physical want endured by the Squeers' scholars, the intellectual starvation is as acute. And education for the upper classes should not be allowed to be as costly as it is at richly endowed colleges like Eton.

The well-being of a people depends to a great extent on its culture. The culture of a nation should be a matter, therefore, of chief interest to its Government. Good bread is necessary for the body, and good education is not less necessary for the mind. Some years ago Englishmen were forced to feed on home-grown corn, often spoiled. The monopoly of the farmer was broken through in the interest of the consumer; and bread, wholesome and cheap, was made procurable by all. At present good education is extravagantly costly, and bad education is not cheap. Melted, mouldy dough that would not bake served as bread in bad harvest years before the repeal of the Corn Laws. Alas! there is a bad educational harvest every year, and thousands (over

200,000 boys) are mentally munching melted mouldy dough of knowledge every year.

It is high time that this wrong should be recognised as intolerable to our humanity, and be redressed, and that all classes alike should be provided by the State with education, cheap, substantial, and nutritious.

## CHAPTER IX.

### THE UNIVERSITIES.

Auf die lustigste Weise bin ich gelehrt, und zwar sehr gelehrt worden.—Goethe, *Wilhelm Meister.*

In 1288 the flower of the Pisan aristocracy fell into the hands of the Genoese, who imprisoned them in Meloria. The captives attempted to negotiate a peace between the towns, and for the purpose struck a die wherewith to seal their transactions, bearing the legend, 'Sigillum universitatis carceratorum Pisanorum janue detentorum.'[1] According to the earliest acceptation of the term, an university was an assembly of men gathered together for a definite purpose—a corporation. It acquired later the narrower meaning given it at the present day, confining that purpose to the acquisition of learning, and making of an university an organised body. Originally a disorganised body of students, it is now an organised body of teachers.

The mediæval universities of Europe sprang into existence out of gatherings of students around famed instructors. Teachers came to a city as adventurers, or to assist in the episcopal schools. Men hungering after knowledge clustered round their chairs.

In 1222 two Dominicans, Jordan of Saxony and Henry

[1] Engraved in Colonel Yule's *Marco Polo*, i. lxxxv. The municipal body which regulated the price of provisions and had the monopoly of supply in Malta till 1822 was called the 'University.'

of Cologne, opened a hospice in the Stolk-Strasse in Cologne, and began to lecture on philosophy and theology. They were followed by a greater man, Albertus Magnus, at whose feet sat St. Thomas of Aquino. Students came where there was a teacher, paid fees for attendance, remained as long as they liked, and went when they liked. If a teacher failed to draw he was fain to close his note-books and seek another town.

A German author has said that Rome was the middle point of the mediæval world, and that the Papacy sat there like a monstrous spider in its web. Into that web fell all the flies seeking light and air. If this was the case in the political world, it was more so in the world of science. Scholasticism was the vast net of interlacing dialectical categories, in which the growing, eager minds of the young craving for knowledge were caught and strangled. Nothing can be more piteous than the sight of cultivated, clever minds, fired with desire to know more and to inquire into truth, caught in the subtle meshes of the schools, and their efforts made of none effect. Rome did not desire free inquiry and independent thought, and scholasticism did her work in destroying both.

The great universities formed themselves by degrees out of the ecclesiastical collegiate schools, first in Italy and France, where Salerno and Bologna, Paris and Montpellier were the most ancient. Germany followed. Prague and Vienna were founded, the former in 1348, the latter in 1365. Prague, though on Bohemian ground, was a great resort of the youths of Germany, till Wenzel, the successor of Charles IV., who had founded it, limited the privileges of the foreign students, when they migrated in swarms, and in 1409 founded the university of Leipzig. Heidelberg became an university town in 1386, the foundation of the university of Cologne was in 1388, that of

Erfurt in 1392, that of Würzburg in 1403, that of Rostock in 1415 or 1419, that of Freiburg im Breisgau in 1430 or 1457, that of Greifswald in 1456 or 1460. The dates of the others are, Basel 1459, Ingolstadt 1459 or 1472, Tübingen 1477, Mainz 1477, Wittenberg 1502, Frankfurt-on-Oder 1505, Marburg 1527, Königsberg 1544, Jena 1548, Dillingen 1554, Helmstädt 1575, Altdorf 1578, Giessen 1607, Paderborn 1614, Rinteln 1621, Kiel 1665, Innsbrück 1672, Halle 1694, which closed the series of the old foundations.

Theology, Canon law, scholastic philosophy, were the main subjects of instruction. It was not till the fifteenth century that the Humanists introduced into the circle of teaching a study of the classic authors of antiquity. In 1477 the Elector Philip summoned Johann Wessel to Heidelberg to reform that university, lost in empty labours on worthless ground. But the university would have no reform, and would not even allow the appointment of a professor of Greek. The most famous humanists of the time, Agricola, Œcolampadius, Reuchlin, were then in Heidelberg and lectured, but the university would not accredit them among her teachers. Melanchthon was refused the degree of Doctor in 1511, and betook himself in disgust to Tübingen, where he lectured in private. The university refused him a Greek chair, and opposed him so consistently and perseveringly that he left in 1518 for Wittenberg. The Duke of Würtemberg, desirous of reforming Tübingen, invited him to return, but he declined. In 1535 the Duke abolished the teaching of scholastic philosophy in his university, and gave a place to classic literature. At the same time he forced the Reformation on his lands, and the teachers in Tübingen who refused to accept it were obliged to leave. The university lost thereby Uelin, Professor of Hebrew, Widmann, Professor of Laws, Imser, Professor of Mathematics, Anhauser, Professor

of Theology, and many others. In Leipzig, on the death of Duke George of Saxony, the Elector reformed the university by banishing nearly all the professors, and filling their places with Lutherans. In Erfurt the university had been founded by the town, not by any prince. A Greek chair was established there before that of any other university. Erfurt never cordially accepted the Reformation. In 1506 Frankfurt-on-the-Oder appointed a Tezel Doctor of Theology. There the Reformation made but slow way. The university of Rostock offered it a passive resistance.

What the universities gained by shaking off scholastic theology and philosophy was not very much. The new teaching was not more wholesome or profitable. It became at once bitterly polemical and mentally debasing. The Bible was treated as the *sedes controversiarum*; and the title of Professor of Controversy was highest honorary designation accorded to a teacher of theology. At Frankfurt-on-Oder Prætorius and Musculus divided the university on the question of works before and after justification. In 1560 the church doors, lecture-room walls, &c. were plastered with insulting placards levelled by one party against the other, leading to bloody conflicts. Wittenberg was torn into two factions of disputants on the Sacraments. One university was ranged against another on some indifferent point of controversial theology. In 1567 the professors of Jena complained to the Duke that a superintendent of Wittenberg had in public exhorted mothers to stab their children rather than send them to Jena to imbibe heterodoxy; and the Wittenberg university, in an official act, designated the Jena university a *fœtidam cloacam diaboli.* 'The Protestant lecture-halls,' says Scherr,[1] 'rang for years with the most perverse, and often most unseemly and abusive, contests about Trini-

[1] *Deutsche Kultur u. Sittengeschichte.* Leipz. 1876, p. 349.

tarianism, synergism, adiaphorism, cryptocalvinism; and the new theology made it perhaps questionable whether it or old scholasticism had wasted the minds of men on the absurdest or most unprofitable questions. The furious hate with which the theologians persecuted the Protestant sectarians who differed from them might be treated from its scurrilous brutality as grotesquely comic, had not the results been disastrous to Christian charity and German culture. The theological disputants, with poisonous breath, corrupted alike the atmosphere of the Church and of the inner sanctuary of family life, and brought things to such a pass, that even sensible men and women brought their best feelings as a sacrifice to the theological Moloch. Can it be believed that the really in many respects excellent Electress, Anna of Saxony, carried her Lutheran fanaticism to such lengths that when her eldest daughter Elizabeth, married to the Calvinist Count Palatine John Casimir, gave birth to a dead child, she wrote to her on February 20, 1585, a letter of maternal consolation over her loss, comforting her on the grounds that it was better the child should have died before birth than that it should have been brought up "to be polluted with the false and godless errors of its father's religion." The pious Electress preferred a dead grandchild to one with views on predestination and election different from her own.'

The lengths to which controversy ran may be judged from another incident. When the Flacian controversy was in full blaze, the court preacher of Prince Rudiger of Starkemberg refused to give the Sacrament to the Princess Anna, who was expecting her confinement, unless she would first declare 'that she was herself the incarnation of sin, and that what she bore in her womb was sin, and sin only.'[1] If the schoolmen had made the Word of God of

[1] Vehse, *Geschichte der Deutschen Höfe*, vol. xlii. p. 246.

none effect by their paradoxes, these Reformed theologians did much the same by their controversies. Professor Majus of Giessen, when he published his 'Praxis Pietatis' in 1697, on entering on his office in the university, declared that in scarce any university in Germany was the Bible expounded with seriousness. Spener says that in five or six years not a single exegetical lecture was given. Francke declares that in his student life at Leipzig there was not a Bible or a New Testament to be had at any of the booksellers' shops in the town.[1] That it was the same in Jena, Marburg, Rostock, and other universities, we learn from Tholuck in his 'History of Rationalism.' Even in 1723 and 1728 in Leipzig there were no lectures given on theological subjects. 'Things came to this pass,' says Tholuck, 'that the Lutheran Church had quite forgotten the root whence it sprung, and had allowed exegesis of the Bible to drop completely out of the curriculum of university studies.' In 1638, when Jungius and other scholars ventured to state that there were hebraisms and other solecisms in the Greek of the New Testament, the Wittenberg faculty pronounced this opinion to be blasphemy against the Holy Ghost.

The sciences fared no better than theology.

The Académie at Paris, the Royal Society in London, and the universities of Holland and Italy, have encouraged the study of Nature: the German universities had, till the present century, made no contribution towards it. Copernicus was canon of Frauenburg: Kepler in vain sought a professorship on which he could live. The Emperor Rudolf II. invited Tycho Brahe to Prague as astronomer, with an annual income of 3,000 ducats; but this was solely because he desired his services as alchymist and astrologer. Kepler was indeed given by Wallenstein

[1] Francke went to Leipzig in 1684.

a professorship at Rostock, but no pay went with the title, and he begged in vain at the Diet of Ratisbon for pecuniary support. The St. Petersburg Academy bought his manuscripts. Hevelke, an astronomer of note in his time, was no university professor, but a burgomaster at Dantzig, and he built an observatory at his own cost. Halley gave a favourable report of his labours, and the Royal Society made the German astronomer honorary member. After his death, De Lisle bought his registered observations for the Paris Observatory. The German universities had not troubled themselves about their countryman. If Tobias Mayer of Göttingen had been assisted in his studies by a subvention from the university, he would not have died before reaching the age of forty. His moon tables were published in London, and his widow received a sum granted her by the English Parliament.

Otto von Guericke, who discovered the air-pump, was a town-councillor of Magdeburg, and not a professor. In 1654 he exhibited the results of his experiments before the Diet of Ratisbon, but no university held out an invitation to him to prosecute his studies in it. Aepinus, the first discoverer of the electrical condenser, and the electrophore, was indeed a professor in Rostock, but the St. Petersburg Academy published his observations, and he died at Dorpat. In the department of chemistry, it is true that Sennert studied in Wittenberg, and Stahl and Hoffmann in Halle, but the great discoverers, Glauber, Kunckel, Becker, Neumann, Pott, Marggraf, Sheele, Klaproth, and Wenzel, stood apart from the German universities. Some of these fell into indigent circumstances, some lived on their practice: Sheele alone received invitation to an university, in which to labour and teach, but the university was in Sweden, not in Germany. Professorships of chemistry were founded at the end of

the last century, or in this. Even in those fields of natural science which exact observation without much outlay, the universities did not take the lead.

The mode of instruction in the universities was two-fold. The students were taught by lectures and by disputations. I will speak of the latter presently.

From a very early period the lecture was dictated. In the statutes of the University of Vienna (founded 1365), it is ordered 'that the lecturer shall dictate, slowly and distinctly, with indication of paragraphs, and the capital letters, commas and other stops, so that the pupils may be able easily to write the lecture out legibly.' When books were scarce this was very important. Indeed the lecture was often little else than the reading of a chapter from a book. Ill-instructed men took advantage of this, and, having purchased or procured a work by a famous author, they set up their chairs, and dictated from it, as though it were their own. This is much like the practice of modern professional lecturers. They get good essays written for them by competent persons, and then go about the country delivering them. I remember some years ago confounding, unintentionally, one such lecturer, who had delivered an interesting discourse on chemistry, and illustrated it with experiments. Fresh from Cambridge, where I had worked at chemistry under Professor Cummins, I entered with zest into the lecture, and began after it to question the lecturer. The unfortunate man was forced to make a clear breast of his ignorance of the science outside of the covers of his essay. The Prague statutes of 1367 forbad this practice of delivering the works of other men by professors ignorant of the science they were expounding, thereby misleading their students, for the copies used were not always correct. Schuppe relates that after diligently transcribing a course of lectures delivered at

Marburg, he discovered the same in print, the work of Professor Keckermann of Heidelberg. It was not unusual for students devoted to economy to borrow the transcripts of other students, and study them at home, so as to save themselves the expense of attending the lectures in person. In Italy, the young nobles sent their servants to the lecture-room to take the theme down for them, and not unfrequently the professors sent their servants to read the lecture for them.

Not only was this method liable to abuse, but it was spiritless and dead. The Grand Council of Venice, in a rescript of 1592, declared it disgraceful, and fined every professor who read his lecture twenty liras. It was forbidden also in Padua. A professor who had a bad memory and was obliged to have recourse to his manuscripts, went by the name of the paper-doctor. In Germany, repeated attempts were made to do away with dictation. The professors always excused themselves by asserting, truly enough, that they were fulfilling the wishes of their pupils, who desired to carry away with them what they heard, and that the memory was not as reliable as paper. In 1355, the pupils threw stones at the heads of the professors who read or spoke so fast that they could not copy down their words, and the University of Paris had to pass laws punishing those who had recourse to this forcible method of expressing their wishes. A year or two ago, a nightingale came into a wood near Bradford, and the operatives surrounded the grove, and, when the bird did not sing, pelted it with sticks and stones to force it to give note. The conduct of the Parisian students five hundred years ago was much the same. The Electors and Princes tried to make the professors give up dictating. They answered that were they to do so, they would lecture with empty pockets to empty benches. The Jena Theological Faculty, in 1649,

answered a similar rescript from the Elector, that it was impossible to prescribe one mode of delivery for all lectures. The importance and character of the matter delivered, and the capacities of the hearers, must be considered.

One of the disadvantages of dictation was, that it consumed much time to get through a course. In 1587 the Saxon Government remonstrated at the length to which the courses extended. The professors replied that this was unavoidable, as they had to dictate slowly; nevertheless, they were guilty of extending their series to a length unwarranted by what they had to communicate. The most empty-headed persons are the greatest talkers. The professors, who had few facts to communicate, filled the time of lecture with a flow of words teaching nothing. Like spiders they spun interminable threads out of their own bodies. Paciuchelli delivered seventy-four lectures on the four chapters of the book of Jonah. A Viennese theologian, named Haselbach, lectured for twenty-two years on the first chapter of Isaiah, and was cut off by death before he had done with the chapter. The Tübingen chancellor, Penziger, delivered 312 lectures on Daniel in four years, then passed on to Isaiah, and finished the prophet in 1,509 lectures in a period of twenty-five years; then attacked Jeremiah, and in seven years had got half through him, in 459 lectures, when death interrupted the course. Even in Spener's time, Karpzow took a whole year to interpret the first chapter of Isaiah. The theologians were, undoubtedly, the most faulty in this particular, but that the other professors were not free from the same failing, is proved by the many decrees regulating the length of their lectures, the number of days to which they were to be limited, the number of weeks they might consume, in going through a course.

There was a sad deficiency of apparatus and opportunity

for the effective study of medicine and natural science. In 1508, in Wittenberg, it was decreed that the Professor of Medicine should once a year 'demonstrate and illustrate what he has taught, on a human corpse, if he could get it.'

A Tübingen prescript of 1525 expressed a desire that anatomical sections should be made once in five years. It was only in 1606 that such could be made once in the year. Before that, the students, if they wanted a subject, were obliged to club together and buy one of the public executioner. How rarely such dissections took place may be judged by the great account made of them. In 1602 they are spoken of as most exceptional at Wittenberg, and it is recorded as a wonder that in 1526 Professor Schurf dissected a human head. After urgent appeal from the university to the magistrates of Rostock, a few bodies of criminals were accorded to the students in the latter half of the sixteenth century. In the Life of Professor Gmelin, who studied at Tübingen in 1724–25, it is mentioned as a remarkable fact that he assisted at the dissection of two bodies. In Halle, Professor Coschurtz, in 1718, built his own anatomical theatre; at the end of the eighteenth century a professor left to the university a sum of money and his house for an anatomical theatre and a library. As the parade place of the garrison was just before its windows, the university moved the theatre elsewhere.

The universities were as badly provided with hospitals. The Professors of Medicine were expected to take their pupils with them on their professional rounds, but as patients declined to have their sick-rooms invaded by a class of students, and to have themselves lectured upon, it was not often that a professor ventured to fulfil the wishes of the governing body in this respect. In Halle a hospital was attached to Francke's orphanage. There was no

hospital at Tübingen in 1797, none in Leipzig till 1799, and it was not till 1820 that the professor and his pupils were given access to it.

Nor was botany better provided for than anatomy. The professors were required to take their pupils once a year into the country to study the herbs as they grew, but these excursions were not made. In Wittenberg the university asked for the laying-out of a medicinal garden, but, though the land might have been obtained, there were no funds forthcoming for the garden.

At last, in 1615, the university hit on a remarkable scheme for obtaining its end. A student had stabbed a peasant, and was condemned to death. The university entreated that the penalty might be commuted to a fine of 300 florins, which sum was to be devoted to the laying-out of a botanical garden. The Elector of Saxony agreed, and signed the remission of the penalty. But, unfortunately, no one had thought to inquire whether the student possessed this sum, and now it was found that he was wholly without means. He was banished, and the university had to wait for its garden, which it got only in 1668. Halle obtained ground for the purpose in 1698, but as there was no money for planting it, it was let, and not till 1787 was it converted to its proper destination. The ground given to the University of Tübingen lay near the residence of the professors, who converted it into vegetable gardens for the supply of their households. The Government at last took the matter up, and required it to be used for the purpose for which it was given. The Senate replied that the ground was not suitable, and that the ditching round of it would prove too costly. The Duke ordered the immediate transformation of the ground into nursery-gardens for herbs, not babies. But thirty years elapsed before this was done.

I have mentioned disputations as a mode of instruction existing alongside of lectures. Beside the sterile and dry lecture, the dispute was lively and instructive. But however valuable it may have been, as originally designed, it rapidly degenerated into a mere tournament of wit. Students indemnified themselves for the dulness of the lecture by giving free scope to their humour in the dispute. The discussion not unfrequently led to mutual vilification and blows. The Humanists endeavoured to control and improve these disputations without abandoning their advantages. In Duke Augustus' Church Ordinance it is said that one disputation was worth twenty lectures, and the professors were exhorted to encourage them. Unfortunately the post-Reformation discussions proved as unedifying as those under the days of scholastic theology. The points debated were foolish or profane, as, whether a camel could go through the eye of a needle, whether Adam's garment of skins was of lambs' wool, whether our first parents were born with navels, &c. And the controversies were carried on as tumultuously as before. Remonstrances against these abuses multiplied, but in vain. In 1669 the professors of Jena declared that many students applied themselves to disputation 'who might be more profitably employed if they kept themselves in *collegiis lectoriis*.'

The disputation fell gradually into such disrepute, that the better class of professors refused to take part in it, and it ceased to be a means of communicating instruction. In Oxford and Cambridge, the disputation, conducted in Latin, survives, as an empty form, held by the candidate for a doctor's degree, in the Senate House. That it may be utilised as a telling method of conveying instruction is known to the Jesuits and other religious orders, and used by them in Italy, and, I believe, elsewhere. Disputations

are held in the churches. A student takes exception to some orthodox statement made by another student, and a debate in the vernacular follows, ending in the ignominious discomfiture of the heretic. Any one who has heard these discussions will testify that the 'Judas' makes a hard fight for his cause, and that the dispute attracts an interested crowd, and sends them away primed with arguments to oppose against all kinds of heresies.

When the dispute died out of the German universities, the lifeless lecture or dictation worked with more numbing effect than ever on the spirits of the hearers. And the fact that the lecture was delivered in Latin tended to increase this deadening effect. A great stride was made when Thomasius ventured to teach in German at Leipzig. His innovation awoke the liveliest opposition among the old professors. But the University of Halle was the first to recognise the utility of lectures in the vernacular. Leipzig followed. Then Gottsched—of whom I shall have a good deal to say in another chapter,—Gellert and Hermann taught in German. The other universities followed reluctantly. In 1725 a Tübingen senatorial minute lamented that the philosopher Wolff lectured in German, 'for, although a lecture in the mother tongue may be tolerable and even useful now and then, yet an audience accustomed to Latin finds it strange to hear philosophy, which can be treated so much better in Latin, expressed in German.' The lament is not without cause. Nothing can be more involved and laboured than German philosophical writing. One cannot but wish that, for instance, Hegel had been condemned to formulate his ideas in Latin instead of German. They would have gained in precision and clearness. Latin remained long in use in the divinity schools. Michaelis, in his treatise on the Protestant Universities of Germany in 1773, approved of

the divinity lectures being delivered in Latin, as in the colleges only Latin was spoken, and the pupils were examined and had to answer in the Consistory in that tongue. But it was in the medical schools that Latin retained longest hold. And the reason offered was that Latin instruction necessitated a good preliminary education, and kept the medical profession clear from a shoal of barber's apprentices, who would attend German lectures and qualify, with danger to human life. A friend speaking to a farmer in the parish in which I live, said, 'Good heavens! no resident doctor! None within many miles!' 'Well, sir! we get on pretty well without,' replied the farmer; 'in this parish we mostly die a natural death.' If the patients in the eighteenth century had been consulted, they would probably have given their opinion that it was a matter of indifference to them whether they were treated by guesswork, and made the subjects of experiment by school-taught doctors or by barbers lighted by common sense.

It is not to be wondered at, that with such a mode of instruction, repeated complaints should be made of the neglect of hearers and teachers. With the earlier dead method of dictation, a professor could easily convince himself that he was spending his time more profitably to himself and to the studious all over the world, in writing books than in lecturing. Those who wanted information would buy the books; the lecture was thrown away on indifferent ears; consequently a great many professors gave up teaching with their tongues. The famous humanist Bosius, in Jena, confessed that when he received from Vienna some *codices* of Josephus, he gave up his lectures for nine months. The Professor of History, Sagitarius, admits that in 1681 he gave no lectures, because he was busy with the catalogue of the library, and then visited

Carlsbad for his health, and then returned to cataloguing. Musæus did not lecture during thirty weeks whilst engaged on writing a controversial work *contra Wedelium*. 'I do not know what to say of my studies,' wrote a Tübingen student in 1698, 'for no lectures are delivered in this university, and there is no learning save by books. We live in complete idleness. In this whole term not one lecture has been delivered.' Lyser wrote the same thing from Leipzig in 1684. A letter of Strube from Helmstädt, in 1619, describes the professors there as a hive of drones. All sorts of excuses were made for not giving lectures—a funeral, a wedding, a christening, preoccupation. In Rostock a horsefair was sufficient ground for the cessation of all studies in the university.

It was no wonder that the inattention of the professors should encourage the students in idleness.

Dürr's romance of student life, 'Geschichte Tychanders,' gives us a picture of the life at the universities in 1668. 'My years at college were spent without God, without conscience, without prayer, in unmixed heathen carnival revelry. Do I speak of it as heathenish? Why, when among heathens was such a devilish life led? Eating, drinking, swaggering, throwing stones, smashing windows, breaking into houses, turning respectable people into ridicule, tormenting freshmen by revelry and roguery, plundering them of the fruit of their parents' blood and sweat,—such was my daily life. As for study, I did nothing in that line: I had plenty of other pranks to attend to. Nor were the women neglected. Students had much freer introduction to wanton girls than other men.'

Even in Luther's time there was bitter lamentation over the 'drunkenness, debauchery, and savagery' of the students of Wittenberg, the newly-formed nursery of Lutheran orthodoxy. In 1563 two sons of Duke Philip of Pomerania

were sent to study in 'the earthly Zion,' the University of Wittenberg, and were put to lodge in the house of Luther, whose widow was still alive, with the son of the Reformer. The rooms above and below that occupied by the princes were crowded with riotous students, drinking, dicing, and conducting themselves so uproariously that the princes and their tutor longed to be clear of this cradle of religion.[1] Tholuck, in his book on Academic Life in the seventeenth century, publishes the *acta* descriptive of the utter moral dissolution not of the students only, but of the wives and daughters of the professors in Tübingen.[2] The beginning of the eighteenth century saw German students in the same condition of lawless barbarism. Student-songs of that period are not tasteless only, but coarse to the utmost indecency. Along with brutality went the grossest superstition and the most audacious atheism. In 1715 some students of Jena attempted to conjure up the devil. Two peasants died of the experiment, and the students were only recovered with difficulty. The magistrates tried them for witchcraft, and supposed that the devil had really strangled the two peasants. They were ignorant of the fact that a charcoal fire, such as that used in the incantation, in a close room causes asphyxia. A much more horrible circumstance occurred the following year in Halle. A considerable number of students and harlots united in performing in a public-house a travesty of the Passion and Resurrection of Christ. An hour after the performance ten of the students were dead, as well as the host and his two daughters. In his tipsy carelessness the taverner had diluted his beer, which was running short, with a pailful of strong lye instead of water.

The numerous universities of Germany had been

[1] Vehse, *Geschichte der Deutschen Höfe*, vol. xxix. p. 249.

[2] Tholuck, *Das Akademische Leben*, i. p. 145-277.

founded by princes in their often small principalities; they were their heads and chancellors or visitors. The professors became their servants and functionaries, receiving from them fixed salaries, in place of the honorarium from their pupils under the Mediæval system.

The salaries were low. The whole number of professors at Wittenberg received only 3,795 florins, those of Königsberg 3,000 florins. Luther and Melanchthon drew as professors what was considered the large salary of 200 florins. The first Professor of Laws in Wittenberg received 200 florins, the second 180; the first Professor of Medicine had 150 florins, the second 130, and the third 80 florins. In the philosophical and philological faculties the pay was worse. The teachers of Hebrew and Greek received each 100 florins; the rest received 80 to 40 florins. In the University of Vienna, in 1514, the salary of the Professor of Greek and Arabic was 300 florins, that of a Professor of Medicine 150 florins. The income of the library at Wittenberg was so small that it could only lay out a hundred florins annually in the purchase of books. The number of teachers in the universities was in the sixteenth century very small. In 1536 Wittenberg had only twenty-two, Jena in 1564 sixteen, Königsberg was founded with thirteen. As concerns the attendance at the universities, the numbers were very fluctuating. Heidelberg, in 1546, was so sunk that the university threatened to collapse altogether. It was the same with Tübingen: when the Catholic professors were expelled, the students streamed to Freiburg. In 1564 Jena had only 500 students, but Wittenberg, in 1549, had a thousand; in 1562, two thousand five hundred. Between 1502 and 1677 as many as 75,528 had attended it. Whoever had the means, protracted his studies through many years. It was not unusual to have students of eight, ten, or twelve years' resi-

dence. But there were also grey monsters of antiquity among them—as Heinrich Oel, who died a student at Leipzig, aged a hundred.

The German universities are now very different from what they were even last century. The revival of letters and learning has transformed them. No such complaints are heard now as were common during the last three centuries. The professors now do not neglect their duty, and if they lecture—too often—in a spasmodic, uncultivated style, they do not waste the hour of lecture with verbose nothingnesses. They have now always something to say, and are only careless about saying it well. The reform has not been wrought by the State, and by laying down of rules and imposition of penalties, but by the spirit and requirements of the age. When Schleiermacher was served with a monition from the Rector, for having dismissed his class before the allotted lecture hour had expired, he sent his thesis to the Rector with the request that he would add to it the necessary padding. He had said what he had got to say, and was incapable of diluting wine with water, and adulterating butter with lard. The University of Berlin ordered that after a lecture a book should be handed round, in which those attending were to inscribe their names. Of course students wrote the names of absent friends as well as their own, and the professor, on looking over the book, was surprised to find that his lecture had been attended by crowned-heads and eminent personages of all periods of history. The present custom at Cambridge is for those attending lectures to leave their cards at the door. This system is not adopted in the German universities. The students merely signify their desire to attend a course, before it begins, and pay their honorarium: then they attend or not as they like.

The number of universities in Germany is now re-

duced: several have been suppressed or transferred elsewhere. A few have been founded in modern times. The University of Erfurt was suppressed in 1816; that of Frankfurt-on-Oder was transferred to Breslau in 1810. Altdorf was suppressed in 1806, Dillingen in 1804, Helmstädt in 1809, Rinteln in the same year. Cologne, Mainz, and Paderborn have also ceased to exist.

On the other hand, Berlin University was founded in 1809 by King Frederick William of Prussia; that of Ingolstadt was transferred in 1802 to Landshut, and in 1826 to Munich, where it received fresh foundation by the King of Bavaria. Bonn was founded in 1818, Erlangen in 1743, Göttingen in 1737. Wittenberg has been incorporated (1817) with Halle; Münster was endowed in 1780, and re-endowed in 1818, and Strassburg reorganised in 1872. There are, therefore, now in Germany 21 universities; if we include Braunsberg (1818), a Catholic theological and philosophical establishment, 22.[1]

[1] Since the table over-leaf was sent to press, I have received the following particulars of a later date. During a semester of 1878, the nine Prussian National Universities, the Academy at Münster (with philosophical and Catholic-theological faculties), and the Lyceum Hosianum at Braunsberg (with philosophical and Catholic-theological faculties), possessed a total of 934 'Docenten,' 465 of whom were Ordinary Professors, 7 Honorary Professors, 217 Extraordinary Professors, and 245 Privat-Docenten. Berlin had the largest number—namely, 208; Göttingen followed next, with 119, Breslau with 101, Bonn with 100, Halle with 96, Königsberg with 82, Marburg with 68, Kiel with 61, Greifswald with 59, Münster with 30, and Braunsberg with 10. The Evangelical-theological faculties counted 81 teachers, the Catholic-theological 25, the juristic 91, the medical 268, and the philosophical 477. The total number of students at these eleven High Schools amounted to 9,006, of whom Berlin had the largest number, 2,569. Breslau received 1,240, Bonn 1,063, Göttingen 988, Halle 914, Königsberg 600, Greifswald 520, Marburg 450, Münster 322, Kiel 252, and Braunsberg 17. At the Evangelical-theological faculties 762 attended, and 288 at the Catholic-theological (105 in Bonn, 116 in Münster, 56 in Breslau, and 11 in Braunsberg). There were 4,096 'philosophers,' 2,379 'jurists,' and 1,481 medical students.

| Universities | Teachers in Half Year of 1877. | | | | | | Scholars in Half Year of 1877. | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. of Professors | No. of Extraordinary Professors | No. of Honorary Professors | No. of Private Docents | No. of Teachers of Languages | Total | Divinity Students | | No. of Students in Law, &c. | No. of Students in Medicine | No. of Students in Philosophy, Philology, and Mathematics | No. of Audience matriculated | No. of other Attendants | Total |
| | | | | | | | Cath. | Prot. | | | | | | |
| Berlin | 63 | 55 | 7 | 78 | 4 | 207 | — | 139 | 1,003 | 281 | 1,067 | 2,490 | 2,107 | 4,597 |
| Bonn | 58 | 24 | — | 17 | 2 | 101 | 118 | 45 | 200 | 118 | 312 | 793 | 36 | 829 |
| Braunsberg | 8 | — | — | 2 | — | 10 | — | — | — | — | — | — | — | — |
| Breslau | 50 | 22 | 2 | 25 | 7 | 106 | 57 | 49 | 439 | 177 | 497 | 1,219 | 16 | 1,235 |
| Erlangen | 34 | 11 | 1 | 8 | 5 | 59 | — | 149 | 45 | 162 | 118 | 474 | — | 474 |
| Freiburg | 39 | 6 | — | 7 | 3 | 55 | 41 | — | 64 | 128 | 60 | 293 | 36 | 329 |
| Giessen | 36 | 11 | 1 | 6 | 4 | 58 | — | 22 | 96 | 84 | 110 | 308 | 43 | 355 |
| Göttingen | 59 | 22 | 1 | 29 | 5 | 116 | — | 71 | 324 | 122 | 474 | 991 | 11 | 1,002 |
| Greifswald | 38 | 11 | — | 10 | 3 | 62 | — | 30 | 90 | 222 | 126 | 468 | 7 | 475 |
| Halle | 49 | 23 | — | 24 | 5 | 101 | — | 181 | 122 | 114 | 437 | 854 | 30 | 884 |
| Heidelberg | 38 | 25 | 1 | 31 | 12 | 107 | — | 13 | 106 | 85 | 179 | 473 | 54 | 527 |
| Jena | 30 | 17 | 8 | 18 | 5 | 78 | — | 66 | 101 | 71 | 201 | 439 | 20 | 459 |
| Kiel | 38 | 6 | — | 16 | 4 | 64 | — | 46 | 26 | 70 | 77 | 219 | 21 | 240 |
| Königsberg | 45 | 18 | — | 12 | 6 | 81 | — | 44 | 186 | 127 | 264 | 621 | 10 | 631 |
| Leipzig | 60 | 48 | 7 | 34 | 3 | 152 | — | 328 | 1,102 | 451 | 1,095 | 2,976 | 113 | 3,089 |
| Marburg | 41 | 8 | — | 16 | 4 | 69 | — | 49 | 65 | 104 | 164 | 382 | 4 | 386 |
| Munich | 70 | 14 | 10 | 23 | 5 | 122 | 75 | — | 361 | 440 | 396 | 1,280 | 44 | 1,324 |
| Münster | 19 | 8 | — | 2 | — | 29 | 92 | — | — | — | 221 | 313 | 15 | 328 |
| Rostock | 30 | 3 | — | 6 | 1 | 40 | — | 30 | 36 | 34 | 56 | 156 | — | 156 |
| Strassburg | 57 | 18 | 1 | 16 | 4 | 96 | — | 41 | 188 | 201 | 277 | 707 | 56 | 763 |
| Tübingen | 49 | 15 | 1 | 18 | 5 | 88 | 145 | 236 | 222 | 157 | 138 | 898 | 10 | 908 |
| Würzburg | 42 | 5 | — | 18 | 3 | 68 | 150 | 93 | 93 | 547 | 238 | 1,028 | 22 | 1,050 |

As in the German universities there are no colleges—except for those destined for holy orders—the students lodge in the towns; the price of lodgings of course varies greatly. In Berlin a student can obtain a room for from 25 to 30 marks a month: attendance costs 3 marks; morning coffee from 6 to 7 marks, 50 Pf.; firing daily from 20 to 30 Pfennige. A student can get room, attendance, breakfast and firing for the winter term (end of October to March 1) for about 210 marks, or 10 guineas; for the summer term (end of April to August 1), for about 150 marks, or 7*l.* 10*s.*

A student can dine at any hotel or restaurant for from 15 to 30 marks per month. The matriculation fee is 18 marks; but for a student from another university 9 marks. On leaving the university he pays 14 marks for his testimonial.

Of lectures given by the professors, there are two sorts, the 'Publicum' and the 'Privatum.' To the public lecture all persons are admitted; and it is either gratis, or a honorarium of sixpence in English money is paid. The Privatum is delivered to the students in one special subject, and is more special in its interest. The honorarium paid for these private lectures—four hours per week throughout the term—is from fourteen to twenty marks. At Heidelberg, the usual honorarium for one hour per week during term in the legal and philosophical faculties is three marks and a half. At Jena for four hours per week, twelve marks; but a medical course costs from eighteen to twenty-one marks. Attendance at the necessary lectures for a year at Kiel comes to about 540 marks, or 27*l.*

Every professor is supposed to give four to six hours a week of private lectures, and from two to three hours of public lectures. In the medical faculty the lectures are from ten to twelve hours a week; professors of exegesis give six hours. Some professors give also the 'Priva-

tissimum,' *i.e.* lecture in private, in their houses, to their pupils. This is nearly always gratis. University professors are most jealous of their comrades making money by their knowledge, and selling their science. Consequently few venture to brave the general feeling and charge for private 'coaching.' Those who do so, escape condemnation by extracting fees from English and American students, who are regarded as fair game.

In addition to the professors of the University are the Privat-Docenten. A student who has finished his course may desire to devote himself to university life, and become a member of the teaching body. He accordingly sends in a book he may have published, or an essay he has written, to the Dean, and with it names three subjects on which he is prepared to lecture. The Dean, thereupon, appoints a day and hour, and subject, and summons the faculty. The candidate then delivers his lecture before the collected professors, and is questioned by them. If he proves his knowledge of his subject, he is given his *venia docendi*, after which he may deliver lectures. If he is successful, during two years, in attracting pupils, he is appointed extraordinary professor, and receives a stipend. He then waits till he receives a call as professor to an university. He may not solicit a vacant professorship, he may not take any steps to secure votes; but must await his call as a special providence. Should he write to the Dean, or any of the professors, on a vacancy occurring, he is pretty certain of rejection; so also if he solicits the recommendation of the Minister of Public Instruction. If by the end of two years the Privat-Docent has not been able to collect an audience, he is pronounced a failure, and withdraws from the university to adopt professional practice.

The German universities confer but one degree, that of Doctor. The candidate desirous of obtaining a degree

sends in a thesis to the Dean of the Faculty, who submits it to the other members, and if they approve, the candidate is summoned to examination. This used to take place in the house of the Dean; it does so still in some faculties, and in the smaller universities; and the professors invited by the Dean put the candidate through his facings, whilst they partook of wine or beer, smoked, and ate breakfast or supper, for which the candidate paid by putting a sum of money into the hand of the Dean's wife. Now in the large universities the examination takes place in the schools, unrelieved by pipes and beer. The result is, that there is some difficulty in collecting the professors for it: the new method may be more formal, but it is less pleasant. Some of the universities—Jena and Giessen were the chief offenders—were wont to give degrees on very easy terms. It was enough to send in a thesis, which may or may not have been written by the candidate. The fee for the degree was what was considered, not the merit of the postulant. Professor Mommsen called the attention of the Prussian Government to university abuses of this kind, and every faculty in the German universities was required to submit its rules to a Government Commission. Such abuses do not now exist. They cannot. Government exacts an examination of every man who passes through the university before he be admitted into one of the learned professions, conducted, not by the university, but by the Government Commissioners. If one who had received his Doctor's diploma from the faculty were to be plucked by the Government examiners, the scandal would attract general observation, and the faculty bring down on itself universal ridicule.

Students may pass at will from one university to another. A friend of mine began his academic career at Würzburg, continued it at Heidelberg, and concluded it

at Bonn. They may, or may not, attend lectures: nothing is compulsory. But the Government insists on all candidates for the ministry of the Church (Catholic and Protestant alike), and for law and medicine, passing three years in a German university, and at the end of that period undergoing examination by Government Commissioners. The university is in Germany, not the testing, but the teaching body. It instructs, Government examines.

The German universities are almost destitute of colleges. Before the Reformation it was not so. There were many founded for the reception of poor scholars. At Tübingen, for instance, Plantsch endowed a little college for eighteen students out of his income, just before the storm burst over the university. Almost all such endowments have been swallowed up by the princes. But in Berlin is the Melanchthonium for divinity students, and the Johanneum, also for candidates for the ministry, where they are lodged for from three to six marks a month. At Breslau is the Episcopal Seminary for Catholic students, and the Johanneum for candidates for the Protestant ministry. At Leipzig is one college for 280 students, who are lodged and given breakfast and supper free of expense. In Freiburg was a college for those studying for orders, but the town has seized on the building and turned out of it the superior and the students.

In the German universities the students wear no academical dress, and are not subjected to any oversight. They may go out of their lodgings and come in at any time of the night or day. They may go anywhere without the risk of being caught by proctors. They have neither chapels to keep, nor rations to consume. They are absolutely their own masters, and under no sort of supervision and restraint. I do not believe, from my own observation, that they abuse their liberty, and that the restrictions to

which youths are subjected in the old English universities have any superior moral advantage. That our college system has other advantages I fully admit. In them men of all classes are more thrown into association with one another than in the German university, where the only bond is that of the Corps, Burschenschaft, or Verbindung, to which they belong. Thus, in Germany, the bürgers' sons meet and walk and drink together in one tavern, the bauers' sons in another, and the gentlemen in a third. In the whole course of the term or academical career, the members of one club probably never even hear the names of, much less speak to those of another club. Thus, the university career has no civilising influence on the manners. A youth always leaves the university more uncouth and unmannerly than he entered it. In the colleges of Oxford and Cambridge, where men of all classes rub together, the 'cad' necessarily sloughs off much of his old rudeness, and acquires unconsciously a refinement of manner foreign to the parental back-shop. And the man of birth finds that among the middle-class fellow-collegians are men of great ability, excellence, and perseverance, and he contracts maybe with one such a lasting friendship, which continues through life, when the one is at the hall and the other in the parsonage. At all events, everything like class prejudice is broken down by the English system, and intensified by the German system. The bauer's son becomes more boorish, the bürger more townish, and the noble more exclusive. In Cambridge the men wear gowns according to their colleges, in Germany, caps and scarves according to their social grade.[1] A

[1] The gentlemen belong to the Corps, and wear white caps and scarves. The Burschenschaften are filled with the sons of pastors, apothecaries, tradesmen. For a good account of these Burschenschaften see Mayhew's 'German Life and Manners in Saxony:' chap. xxi., 'Student Life at Jena.'

white cap will not go within spitting distance of a humble purple cap.

The mingling and friction of men in a college rub down self-conceit, and many a bumptious boy, when he comes to an English university, drops before his freshman's year is out to a sober estimate of himself. The German system, on the other hand, accentuates priggishness. The duelling, which is so prevalent in the German universities, is one consequence of this. Each student comes up with an overweening idea of himself; if he were forced to live with other men, sit with them in hall, and by them at the college lecture, or in the chapel, row in the same boat with them, scout for them at cricket, or speak with them in the same debating-club, he would learn to give and take. But nesting alone in his lodging, associating only with a few, he becomes suspicious of offence, ready to take umbrage at a trifle, and obliged by the regulations of his corps to fight whenever he harbours an impression that he has been treated with disrespect. A student is proud of his slashed cheeks and slit nose: the scars prove him a gentleman, *i.e.* a man apt to take offence. Of the dignity of self-respect, the courtesy of a gentleman, he has no idea, and never acquires it. Swagger, bluster, and bombast are the badges of gentility with him, as they are of the 'cad' in England. I asked a friend one day what was the distinguishing feature of the 'Adel' in Germany. 'The young Adel,' was the answer given me, 'are ready to fling away their lives as dirt, if but rudely nudged, and no apology offered.'

And this is the only conception the bürger student has of nobility, and in his striving to be a gentleman, he apes the readiness to take offence in the unapproachable class above him in rank, and below him in fortune. Education is not merely the sharpening of the intellect,

and the loading of the memory, but it is the polish of the mind also. And the mind is polished by association with women of all classes, and with men above and below in social standing. I have already spoken of the great misfortune to German men, that they mix so little with ladies. Boys do not play with their sisters, young men do not make them their confidants and friends. Consequently, they grow up without that reverence for womanhood which is so characteristic of young English gentlemen. It is precisely at the period of adolescence that prejudices are fixed for life or filed off; and thus it becomes all-important for young men to mix with those of other classes in the social scale, that they may know the special merits of each, and learn to esteem each for its merits. This is what our English university system affords, and the German university does not afford. Gentlemanliness is not readiness to take umbrage, but consideration for the feelings of others. And for acquiring this, the German university is no school.

German university education produces another result, advantageous in one respect, the reverse in another, good or bad according to the view taken of education.

If academic training be designed to focus the mental eye on one portion of the field of science, and on one point in that portion, then the German method is perfect.

The student's attention is withdrawn from all distracting interests, and is concentrated on his special subject, and on the particular subdivision of his subject, which is to be the object of his life's study. It has been said, and said with truth, that school-work in Germany makes boys short-sighted. University study makes men mentally short-sighted. They are educated to look at nothing but what is immediately under their noses. When I was a boy, it

was a favourite trick of mine to mesmerise cocks, by placing them on a black-board, and drawing a line of chalk from the beak to the extreme edge of the board. The fowl then lay entranced for a considerable length of time, gazing with riveted attention at the chalk line. This is precisely the system of the German universities; the students are given each his chalk line, along which alone he is to look, and in the absorbed contemplation of which he is to be lost all his life.

The German method leads to magnificent results, it must be admitted, for those trained under it become masters of their special subjects, unapproachable by those brought up under a more liberal discipline. As long as it is pursued, German men of science and learning will distance all competitors. In natural science, in philosophy, in philology and every other branch of learning they will particularise a twig on the tree of knowledge, one leaflet on the twig, digest it, and then drop off content. When Lord Dufferin went to Iceland, he found there a professor from Fatherland hunting moths. He was not in pursuit of moths generally—that subject was too wide—but of one sub-order of moths, and to discover the variations in this sub-order he was ranging round the world. We have an analogous system in one of our universities,—Cambridge. There the student of mathematics has his interests detached from the *litterœ humaniores* and concentrated on calculations. The wrangler is sent out into society without one point of sympathy with it, into the world of men, to look on them as units in a great sum subject to permutations and combinations, to be contemplated and calculated from a statistical point of view. He will go into it—

> Jotting the labouring class's riches;
> And after poking in pot and pan,
> And routing garments in want of stitches,

Will ascertain that a working man
Wears a pair and a quarter of average breeches.'[1]

He is dismissed from his university into the crowd of beating hearts and eager interests, labouring with a calculus in his brain.

Herr Lasker, in an article on the German universities in the 'Rundschau,' complains that the educational system there is productive of one-sidedness, of narrowness, not of breadth. No general view of history, or natural science, or jurisprudence, is set before the students, but they are tied down to one petty point in each, and in the mastery of this, all idea of the relation it bears to other points and truths is lost. 'The university,' he says, 'splinters itself into special schools. Each special subject is broken into minute particulars. The student becomes a scholar, and after the legal course is over, he comes to an understanding with the teacher along with his fellow-workers in the same subject to follow a mean programme. He who has not made natural science his special department leaves the university without an idea of the weighty discoveries of natural philosophers. He who has gone through his course in medicine, gets no general survey of the many branches of study necessary for his calling: he has explored but one, and all subjects beyond his professional range are absolutely closed to him. The law-student knows nothing of the structure of the human body; the surgeon nothing of the elementary groundwork of law and justice; the first principles of social economy, literature, ethnology, history, and all those matters which every educated man ought to know something about, if he is to mix in society, are to a terrible degree strange to those studying in special departments. The lecture-rooms lie side by side, the many schools are under one roof, the professors belong to

[1] Hood, *Tale of a Trumpet.*

one senate, the whole society is tied together by statutes and external organisation, but the spiritual link is missing; personal avocations insulate, particular studies separate the students; and the university is nothing more than a congeries of schools for specialists.'

It was precisely because the theological training tended to narrow the minds of candidates for orders, that the Imperial Government has insisted on all theological students qualifying as well in three other subjects, such as literature, history, geography, mathematics, jurisprudence, natural philosophy, &c. No such requirement is made of candidates for law and medicine, and they will issue from the university more narrowed than the divinity students by their training. It is a consciousness of this, no doubt, which has made the Government of Germany insist on examining the students of the universities by commissioners of its own appointment, and on making the training of the Lyceum and Bürgerschule so general and excellent. This preliminary education is, as I have shown, on a broad basis. The contraction of the basis begins at once and abruptly in the university. After striving to stretch little minds to cover acres, they tie them down on a needle-point. But the teaching of the schools ought to be followed up at the university, not set aside.

A German professor, to whom I was one day speaking on various subjects, interrupted me with the exclamation, 'You Englishmen puzzle me beyond measure. You know a little of so many things, and are so full of interest in every department of literature, science, and art! Believe me, there must be no universality of knowledge and interest if a man is to be master of a subject.' He was right, but then life is much more pleasant to a man who has a nerve everywhere in sympathy with all that surrounds him. It is, I doubt not, the necessity of working for a

livelihood which specialises German studies. The majority of men who go to the university go there to learn what will gain them their bread, not to become cultivated members of society. 'Bread-and-butter students' these are termed, and all professors lament that their necessity should interfere with their general culture. The question seems to me to resolve itself into this—sooner or later a man, if he is to do anything in his profession, must become a specialist, but *when* is specialisation in his studies to begin? I should say, not till he leaves the university. A liberal education will always tell in the end; and I do not believe that valuable time is lost in deferring the contraction of the radius of studies till a man is twenty-three.

To such an extent has specialisation invaded all classes of human activity in Germany, that there is now a special organ, *Die Beinkleider*, for those professors of the art of clothing, who devote their peculiar and undistracted attention to the legs of man and the best mode of vesting them.

## CHAPTER X.

### THE ARMY.

> France, hast thou yet more blood to cast away?
> Say, shall the current of our right roam on?
> Whose passage, vex'd with thy impediment,
> Shall leave his native channel, and o'erswell
> With course disturb'd even thy confining shores,
> Unless thou let his silver water keep
> A peaceful progress to the ocean.
>
> *King John*, act ii. sc. 2.

'EVERY German is subject to military duty, and cannot perform it by proxy.' The Reichsverfassung places this statement at the head of the Articles on military affairs. In it is declared the personal obligation of every man in the country to bear arms for the defence of Fatherland.[1]

This principle of universal military service is no special feature of German organisation, but what is peculiar to Germany is the way in which it is carried out.

For understanding this, it is necessary to lay down a few plain truths which have been grasped by the Germans and missed by others. And it is to the recognition of these elementary truths, which lie at the root of the German organisation, that the Empire owes the possession of

[1] It is, however, broken by Art. 1 of the Kriegsdienst-Gesetz of Nov. 9, 1867, which exempts:—

1. Members of the reigning houses in the Empire.
2. „ mediatised princely houses.
3. Natives of Elsass and Lothringen born before Jan. 1, 1851.

the most magnificent army the world has ever seen and is ever likely to see. Other nations may copy, but they can not surpass a military system which in its main features is absolutely perfect.

The object of an army is to execute by physical force the will of the general in command.

The army is the implement with which this will is executed: therefore, for the carrying out of the object, the greater the physical force employed, the more certain the general is of attaining his purpose.

But the physical force of an army is composed of *two* factors: *first*, the numerical strength of the force under command; *secondly*, the special perfection of each member constituting this force.

The first factor is raised to its highest power when every available man has been called to arms; the second, when every soldier has received the most complete education required for a military vocation. For this purpose the greatest possible amount of time must be devoted to military education.

But the State has to consider not merely the efficiency of its army, but also the commercial prosperity of the country. Consequently, all men cannot be taken from peaceful avocations for an indefinite length of time. It must cut its coat, *bon gré mal gré*, according to its cloth.

It is the interest of the State to have a strong force at its disposal, but it is a greater interest of the State to have this with the least possible distraction of the energies of the country from agriculture, commerce, and manufactures.

Out of the balance of these two interests issues the measure of the strength of the military power of a country.

If, however, military power be the product of numbers and of military capability, it is clear that two opposed forces may exactly equalise or neutralise each other, when

the factors differ. That is, a smaller number of men with greater capacities may equal a greater number with smaller capacities.

From this consideration arise two military systems.

One system raises the factor of the strength of the troops to the highest possible term, by drawing all into the army capable of bearing arms, but in consequence is obliged to reduce the second factor to its minimum. This is the *Militia system.* Its inherent weakness lies in this fact, that when one factor = 0, it may be multiplied to any amount without obtaining a product.

Another system rests its supreme weight on the military capabilities of the men, and their length of service; consequently the number under arms has to be reduced to a minimum. This is the *recruiting system.* It also has its inherent defects. If once the small army of picked men be annihilated, there are no successive levies of reserves trained to take its place. Great competence is succeeded by utter incompetence. And, again, it is by no means satisfactorily shown that a soldier of twenty years' standing in the ranks is better than one who has been under training for five years. With the officer it is different. But with the private, I believe, it is not so. If I am not very much mistaken, I think it will be found that a German private retiring into the reserve is in every point as thorough a soldier as an English private of many years' standing; in several particulars his superior, for the English training is not to be compared with that of the German soldier. As for physical strength and endurance, and moral courage, one is as good a man as the other. How we suffered for want of a reserve in the Crimean war is in all men's memories. We sent out boys, and they died like flies. We are better off now, or we should be nowhere in the military race.

The German system is an endeavour to hold a medium between the Militia and the recruiting systems. It endeavours to unite the advantages of both, by raising both factors to their highest possible power.

Every man capable of bearing arms is given a thorough-going military education, so that every able-bodied man in the Empire is capable of responding to the call of the Emperor, and he can send rank after rank, host after host, of disciplined men into the field, till he has exhausted all the manhood in the country.

To effect this, the conscripts must not be kept longer under colours than is absolutely necessary for their military education, and when this is completed, must be sent back to their peaceful avocations, only to be called up again so often as to ensure their not forgetting what they have learned. By this means the least strain is put on the country, and the greatest military force is obtained. But, again, military capacity is the result of two factors: mechanical drill, and educated intelligence. It follows, therefore, that without affecting the product, the first factor may be diminished, and the second increased. Consequently, a less amount of drill, that is, only just sufficient to qualify him for his duties, is sufficient for a man of education. In intellectual development and general intelligence, the latter makes up what the clown has to work out by means of drill. Let 10 be the total, $x$ the drill, and $y$ education; then $8x+2y=10$, and so will $3x+7y=10$. On this is based the system of Einjährigers.[1]

From these general observations we may pass to the description of the norms through which the doctrine just laid down is applied.

The duty to bear arms applies, of course, only to those capable of doing so, physically and mentally, and to those

[1] To be described presently.

who are morally qualified to stand in the ranks and fight for Fatherland.

The conscripts who are unable to serve under arms are sent to workshops, hospitals, or offices, attached to a corps. Imprisonment for felony or any serious crime incapacitates a man from serving his country.

Every German—if not in the navy—belongs to the active army for *seven* years; as a rule, from the age of twenty to the beginning of the twenty-eighth year.[1] During the first *three* years he belongs to the standing army; during the last *four* to the reserve; during the next *five* to the Landwehr; and to the Landsturm till forty-two.

The entire nautical population is free from military service, but is required for the navy. As nautical population are reckoned all those who on entering their twentieth year have served for one year at least either in a German trading or fishing vessel, or have been stokers, or served on steamboats in any capacity.

The length of service in the navy, reserve, and Seewehr is the same as in the army.

The armament of the German Empire consists of—

1. The Army { under colours { standing. / reserve. } / the Landwehr. }
2. The Navy { the fleet { standing. / reserve. } / the Seewehr. }
3. The Landsturm.

The standing army and fleet are always on a war footing: they are the schools educating the nation for war. The Land- and Seewehr are the feeders of the standing

[1] In Westphalia, Schleswig-Holstein, and Hanover, from the 21st to the 29th year.

army and navy. The Landsturm only flies to arms when a portion of the realm is threatened with invasion. The standing army in time of peace has been limited till 1881 to 401,659 men, a number it may not exceed; the Freiwilligers not included. This number is a maximum. On no day in the year may it exceed this. It is the normal number for which the Reichstag votes supplies.

The army consists of—1. Infantry; 2. Cavalry; 3. Field Artillery; 4. Siege Artillery; 5. Pioneers; 6. Train. There are other formations, as schools for under-officers, a railway battalion, telegraph corps, riding institutes, &c.

For tactical unity, in the infantry the battalion is the unit, in the cavalry the squadron, in the field artillery, the battery.

| | | | | | |
|---|---|---|---|---|---|
| The Infantry consists of | 469 | battalions, | or | 269,899 | men. |
| „ Cavalry „ | 465 | squadrons | „ | 65,512 | „ |
| „ Field Artillery „ | 309 | batteries | „ | 30,637 | „ |
| „ Siege „ „ | 29 | battalions | „ | 14,985 | „ |
| „ Pioneers compose | 18 | „ | | 9,168 | „ |
| „ Train „ | 18 | „ | | 5,049 | „ |

To this we must add 1,806 men for special formations, and 4,703 men for officers of the Landwehr, forming the framework about which it will gather on mobilisation.

As a rule, three battalions of the infantry, five squadrons of cavalry, and two or three artillery divisions form a regiment. Every two or three regiments form a brigade. Every two or three brigades form a division. Generally two brigades of infantry and one of cavalry form a division.[1]

There is no fixed rule as to the number and distribution of officers; but usually each company, squadron, and battery, has a captain, a first lieutenant, two or three second lieutenants, and the 'requisite' number of under-officers.

[1] Only in the Body-Guard and Royal Saxon Corps are there entire cavalry divisions.

At the head of every battalion and artillery division is a staff officer; at the head of every regiment a superior staff officer. A brigade is, as a rule, commanded by a major-general, a division by a lieutenant-general, and an army corps by a general.

Besides the divisional formation of the army, it has also a territorial division. This military division forms the basis of the organisation of the Landwehr and the supply. The Empire is divided into seventeen army-corps districts, over which the generals in command exercise chief territorial jurisdiction in all military matters.

The army-corps districts fall into divisional and brigade sub-districts; the latter again, according to extent and population, into Landwehr, company, and battalion districts.

The army articulation corresponds with the territorial division, from which it is recruited and supplied. Thus each army corps, each division, and each infantry brigade, has its own district, from which, as a rule, its men are drawn, and it is completed on mobilisation. Consequently the young men of a village find themselves together in the drill-ground and in barrack—a provision of the highest moral advantage. The young trooper who misconducts himself does so in the presence of his companions from childhood, and he knows that the report of him will reach his home. On the battle-field he is not among strangers, and if shot, a comrade will bear his last words to his native village, to his mother and his Schatz.

Over all the land, officers are stationed forming military boards—the Divizion-Commando, the Brigade-Commando, and the Landwehr-Commando. In time of peace the divisional commander has the oversight in his district, also care for the discipline and knowledge of the whereabouts of the men on furlough. He is charged with the

supervision of the Landwehr, and with all preparations for mobilisation on a moment's notice.

The Landwehrbezirks-Commando has the following duties:—

1. The control of those on furlough in that district.

2. The preparation of all needed for mobilisation, and the formation of the Landwehr battalion.

3. The care of the clothing and arming of the Landwehr battalion, and the supply of ammunition.

4. Provision for recruiting, and for invalids.

In time of war, the field army is engaged in active operations against the enemy, and the reserve garrisons the fortresses and keeps the lines of communication, and as they are drawn upon to fill the gaps made by war in the ranks of the field army, their places are supplied from the Landwehr.

With this outline of the army organisation in his head, the reader will be able to follow me into particulars. Unless he be a military man, he may be disposed to say with Faust, 'Ich bin des trocknen Tons nun satt;' but I hope that the details will prove more interesting than the outline. I would not advise him to omit to follow me, if he would acquire a just idea of that most remarkable creation of the Prussian spirit of organisation and discipline—the German army. It is to Fatherland what the Pyramids are to Egypt, Paris to France, and the Metropolitan Railway to England,—a typical creation of the national genius.

Let us begin with the recruit, and go through the course with him. Every year, in the month of February, a circular is issued by the War Ministry indicating:—

1. The number of recruits required for each infantry battalion and each cavalry regiment.

2. The number of assistants and workmen required for each corps.

3. The days on which each corps is to receive its recruits.

In every district lists are kept of the men in it and their ages; and every young man of twenty has to present himself before the local Board. There is an excellent little book to be had for a few pence,[1] which puts in a simple form before the recruits their duties and what the law requires of them. Every man is *Wehrpflichtig*, i.e. bound to serve, yet all are not required to serve. The standing army is legally fixed in number, at a per-centage of the population. It is not therefore every man who is called to arms. When more recruits present themselves than are required, lot decides which are to enter military service.

But certain are exempt; such as young men who are the sole support of aged parents, or helpless brothers and sisters; the only sons of landed proprietors, tradesmen, &c., incapacitated by age or illness from managing their estates or shop.

A special arrangement is made with those destined for a learned profession, which shall be noticed presently. Deformity, excessive physical infirmity, short sight, a height under $1^m70$, &c., incapacitate a man from serving.

The recruits are allowed to express their wishes as to the sort of service they desire to enter, infantry, cavalry, chasseurs, artillery, &c., and their wishes are considered as far as is possible. When the number has been made up, the commandants of the different regiments determine by lot which are to serve in their respective contingents. There are, however, a few exceptions made to this impartial distribution. Men of and over $1^m82$ may be sent to the first regiment of the Guards. The chasseur (*Jäger*) and sharp-

[1] Wurzer: *Katechismus für die deutschen Militärpflichten.* Leipz. 1878.

shooter regiments are recruited almost exclusively from the agents of the Government and mediatised princes in the service of the forests. This recruiting is under the special direction of the inspector of the chasseurs and sharpshooters. The chasseurs are no favourites in the German army. It is thought by the officers that all the privates should receive a like training in rifle practice. But the governments favour these regiments, whence they draw their servants for the charge of their forests. The organisation is altogether peculiar: it forms an hereditary class of foresters, who furnish the army with professional sharpshooters, and this corps of rangers in turn supplies the State with men devoted to its interests in the forests.

The distribution of recruits is made without regard to their social positions. Well-dressed sons of citizens, peasant lads, and even ragged youths jostle each other. But there are not many members of the upper classes found in the crowd; for these young men, having received a superior education, are allowed to enter the army as volunteers, or are in the military colleges, with the intention of making the army their profession.

As the men come to their regiment, they are submitted to medical inspection. Those deemed unfit for service are sent back to their districts, and the Landwehr officers therein are bound within a stated period to supply their places with fresh recruits. The sifting out and replacing of the unsuitable occupies about a fortnight. A month after the reception of the recruits, a report on the appearance, physical condition, size, &c., of the men is sent in from all the regiments to the Staff; and their reports are forwarded to the Emperor.

The commandant of each regiment distributes the recruits in their battalions on the day of their arrival. The tallest men go into the first battalions, the smaller

among the fusileers. With us the reverse takes place They are then subjected to a second medical inspection. The first was solely to ascertain if they were physically sound, the second to ensure that they are not labouring under any contagious disease. Then they are all bathed and clad in uniform. Each man makes up a parcel of his ordinary clothes and sends them home at the end of a month, when it is definitely decided that he remains in the regiment. The rest of the first day is spent in installing the recruits in their chambers. Their money is taken from them, and placed with the commandant, but each man is allowed to keep two thalers, or six shillings. The object is to prevent inexperienced youths being led to squander their little funds at the instigation of older soldiers, naturally disposed to regale themselves at the expense of their new comrades. The recruits are next given out combs, brushes, a looking-glass, razors, &c., for which they have to pay a moderate price, or it is deducted from their wage. Then their hair is cut, and they are vaccinated. In the first month they all take the oath to the colours.

Each company receives annually from forty to fifty recruits. Each dormitory is under the supervision of a non-commissioned officer, appointed to be instructor to the recruits by the commandant of the company. The recruits are also generally broken into groups of two or three under an older soldier, who is supposed to act towards them the part of an elder brother. This plan has been found very advantageous for developing feelings of mutual friendship and comradeship; linking together into one all the members of the great military family. A few days after his incorporation in the regiment, each recruit is required to draw up a short biography of himself, as frank and complete as possible. This he submits to his captain, who thereby is made acquainted with the antecedents of his

men, and is able to judge of their intelligence and the degree of their education. Those who cannot write give their account *vivâ voce*. But the number of illiterate is very small.

In 1877, among the soldiers of the German army under colours and in the reserve—

| | | | | | |
|---|---|---|---|---|---|
| Of Prussian soldiers, among | | 86,448, | 5,579 | could neither read nor write. | |
| Bavarian | „ | 17,401, | only 1 | „ | „ |
| Saxon | „ | 7,934, | but 17 | „ | „ |
| Würtemberg | „ | 6,066 | „ 1 | „ | „ |
| Baden | „ | 4,931 | *none* | „ | „ |
| Hessian | „ | 2,826 | „ | „ | „ |

What has been said of recruiting for the infantry applies equally to the cavalry, with only slight differences, on which we need not tarry. Cavalry and infantry alike have attached to them a body of workmen of two sorts: the one, 'Oekonomie-Handwerker,' are not reckoned as in the ranks, and do no military service; the others, among them saddlers, smiths, tailors, shoemakers, &c., form part of the effective fighting body.

Besides the men sent from the contingent, the cavalry regiments receive volunteers for one or four years. The first are few on account of the cost; they have to find their own horses, accoutrements, keep, &c. The volunteers of four years are, on the contrary, very numerous. In consideration of the extra year for which they volunteer, they are let off two years in the Landwehr. These volunteers are received much more cordially than the recruits from the ordinary contingent; because the cavalry officers are well aware that three years is not long enough for the training of an effective horse-soldier. Consequently captains do their utmost to draw as many volunteers as they can to their squadrons, and thereby reduce the number of ordinary recruits. From thirty-five

to forty-five men annually enter each squadron. For regiments of the Guard, Cuirassiers, and Uhlans, the minimum height is $1^m$ 67; for the light cavalry, dragoons, and hussars, $1^m$ 62.

In the recruiting of the German army the commandant of the regiment is the axle of the system. He knows the effective force his corps must have on a peace and on a war footing, and he is bound to be always ready to have under control the number of men required. When necessary he must apply to the Staff of his *corps-d'armée* for the number of recruits he requires; he must winnow out the unserviceable men and call for others to replace them, or fill their places with volunteers. This is only possible with recruital which is territorial, by which system each corps has at hand a store from which to draw at will, and which is being incessantly supplied; so that there is always ready at a moment's notice all the material in men and equipment for completing the corps and giving it its full effective force in times of war and peace.

In most European armies, when the annual period for the commencement of instruction comes round, there appear whole shoals of general orders and directions, often contradictory, minutely regulating the kind and duration of the different exercises, not during the month only, but even by day and hour. Nothing of this sort exists in the German army. To the commandant of the company is left the entire responsibility for the instruction of his men, in what mode and at what hour he sees fit. His initiative has no other limits than the obligation imposed on him of presenting his soldiers ready for inspection to his superior officers at fixed times, and to have them trained to a certain standard by those times. The commandant of the battalion has no right to interfere with the instruction of the companies that compose his battalion.

All he is at liberty to do is to note to their captains such deficiencies or irregularities as attract his eye. He has no power to alter the course fixed by a commander of a company. Later, he, in his turn, instructs his battalion, and becomes wholly responsible for its instruction as a tactical unity. All he can exact is, that the companies, when they pass under his hand, shall prove thoroughly instructed in all rudimentary branches of drill and discipline.

A like freedom is accorded to every officer charged with every branch whatsoever of instruction. All German officers, from the lieutenant to the general, are unanimous in regarding this liberty as an essential and indispensable condition of success, not only as concerns the instruction of the troops, but also in all that affects military success. For it produces emulation among the officers of every grade, it draws out their powers and teaches them promptness and observation. Moreover, it is the best possible means of teaching an officer the details of the service. He learns as much as does the soldier whom he is teaching.

In the whole military hierarchy there is not an office more important than that of commandant of the company, squadron, or battery—that is, as concerns the instruction of the troops. And as a capable officer is put in that post, he is given plenty of elbow-room. Not only does he instruct the men of his squadron, but, by the position he occupies, he alone is in a position to form among the officers of his company a successor capable of replacing himself. If this initiative freedom accorded to each strikes a foreign observer, not less does the minutely methodical and progressive system with which the instruction is pursued, not from year's end to year's end only, but in each particular period of the year. Experience has established the rules and formulated the series of exercises appropriate to the exigencies of war, and to the character

of the nation and the habits of the country. These are never interfered with. Every one knows his part and fulfils it without hesitation.

The instruction of a German regiment advances with calmness and regularity, precisely like that in a public school, in which with each new year there is an influx of fresh scholars to recommence the lessons learned by their predecessors, now moved to a higher form.

The drill, to the very gymnastics, is not left to a non-commissioned officer alone. The recruits are, indeed, put through their facings, and taught to turn head over heels, and climb a pole, by a 'Gefreite' or lance-corporal, but the lieutenant is present throughout the instruction. The position of a sub-lieutenant in the German army is no sinecure. He has a great deal of hard and very wearisome work, and he is kept a great part of the day at it; he has to cuff and lick the awkward squad into shape, and is himself the constant butt of reprimands from his superior officers. More of this shortly.

The year of instruction in the infantry comprehends six periods:—

1. Preparatory period:—From the end of the grand manœuvres and the dismissal of the reserve to the arrival of the recruits; that is, from the second half of September to the beginning of November in the Guards, to the beginning of December in the Line.

2. Period of individual instruction of the recruits:—Till the middle of February in the Guards, till the beginning of March in the Line.

3. Period of inspection, or Spring exercises, to the middle of May.

4. Period of service in the country, to the beginning of August.

5. Period of autumnal exercises, to the end of August.

6. Period of grand manœuvres, to the second half of September.

1. *Preparatory Period.*—The first thing the captain has to do is to choose and prepare the instructors to whom the recruits are to be confided, for on this depends almost exclusively the success of the instruction. And as, on account of the shortness of the duration of active service, it is difficult to have a sufficient number of experienced non-commissioned officers,[1] their preparation absorbs all the care and time of the commandant of the company during this period. In each company one lieutenant, three or four non-commissioned officers, and six or nine lance-corporals are detailed for this purpose.

The captain confides the post of instructor to the lieutenant he considers most apt for this charge. This lieutenant directs the instruction of the recruits under the immediate eye of the captain, who, however, leaves him the utmost latitude, on the same principle that runs through the whole service—the development of the individual powers by according liberty to the utmost extent possible with the maintenance of necessary system and discipline.

As a rule, the lieutenants set a high and honourable example before their pupils. Each officer-instructor is made entirely responsible for the men confided to him. He has the surveillance over them, and sees that they are not brutalised by older soldiers. He serves as a check upon the non-commissioned officers under him, and prevents them from tyrannising over the recruits. At the same time he stimulates their zeal for the service, and puts a stop to violence and vulgarity on their part. A very sincere attachment often grows up between the lieutenant and his

[1] I use the term 'non-commissioned officers' for those entitled in German 'Unter-Officieren,' i.e. Feldwebel and Vice-Feldwebel.

men, and the sense of responsibility of setting them a good example has a high moral effect upon him.

In order to be able to acquit himself of his duty as instructor, the lieutenant is obliged to prepare for it diligently during the 'preparatory period.' The captain lends him his aid, advises him, but never personally charges himself with his instruction.

The captain chooses one or two experienced non-commissioned officers and gives them as assistants one or two younger soldiers; by this means experienced instructors are trained for the following year.

The lieutenants receive every day two hours' theoretical instruction from the commandant on the principles of manœuvres, the theory and rules of musketry, on the discipline of the service, the history of the regiment, and the outlines of military legislation. The commandant has also, during this period, to see that all the undress uniforms for the recruits are clean and in good condition, and that the dormitories are fresh whitewashed and furnished with every necessary.

During this preparatory period also the non-commissioned officers learn to conduct patrols, make little reconnaissances, and practically resolve certain tactical problems. The officers are also then engaged on their tactical studies, under the direction of the commandant of the battalion.

At the same time the pioneers are instructed in sapping.

2. *Period of Individual Instruction.*—The day of the arrival of the recruits is, undoubtedly, the most important in the year to the commandant, who is naturally jealous to maintain the reputation of his company.

The course of instruction to the recruits lasts from twelve to fourteen weeks. In those weeks the country lout has to be trained to serve in the ranks. In twelve

weeks the raw recruit has to learn the regulations of fighting in scattered order, the handling of his arms, how to shoot, gymnastics, and, in a word, everything that is necessary to enable him to take his place in the ranks, go through his exercises with the company, and do all that is required of a soldier in time of peace. This constitutes 'Duty State,' as Germans understand it. To attain this result the commandant of the company has to exert all his energies and bring all his experience to bear to elaborate a plan and sequence of drill and study which is to be followed.

Here again occurs a feature peculiar to the German system, and altogether admirable. Extreme attention is paid to explaining to the recruit the reason for every order given. The object is, to educate the man's intelligence, to make of him not a machine only, but an intelligent machine, capable of judging and acting for himself under extraordinary circumstances. This is precisely what was wanting in the Russian soldiers in the late war. They were machines, they went where they were ordered, but they had no judgment when individual judgment was wanted. In that the Turk was his superior. But among the Guards under Skobeleff it was otherwise. They had been taught on the German method, and the results became evident directly they appeared before Plevna.

I must again repeat, no detailed scheme of instruction is issued by authority. In all orders extant, the only requirement is that a certain specified point of training shall be reached: how that is brought about is left entirely free. Full liberty is accorded to the commandant, and his superiors absolutely refrain from any interference, and from all appearance of limiting or touching his independence.

Consequently there is great variety. In a company of recruits which I observed in 1877–8, the hours of drill

were from eight to eleven A.M., and from two to four P.M., and there was one hour's instruction in military subjects in the evening. For the first fortnight or three weeks from the date of joining, the recruit was exercised *solely* in gymnastics.

Most captains arrange the course of instruction by weeks, with a programme for each, and leave the details of execution to the lieutenant. The lieutentnt in turn makes verbal recommendations to the non-commissioned officers, taking care to allow them also a certain amount of freedom.

The recruits are under constant surveillance—to such an extent that, during the first six weeks of their service, no young soldier can leave the barrack without being attended by a Gefreite. This is a rule of some importance, especially in large towns, where inexperienced country youths might otherwise be easily drawn into conduct incompatible with honour and respect for their uniform.

The following is a table of a day's employment in the fourth week after a recruit has joined :—

*Morning.*

| A.M. | | A.M. | |
|---|---|---|---|
| 6.0 . . | Rise. | 9.0 to 9.30 | Exercise in pointing. |
| 7.0 . . | Breakfast. | 9.30 „ 11.30 | Manœuvres. |
| 7.30 to 8.30 | Theoretical instruction. | Midday . | Dinner. |

*Afternoon.*

| P.M. | | P.M. | |
|---|---|---|---|
| 2.0 to 3.15 . | Manœuvres. | 6.45 to 7.0 . | Instruction on calls (bugle). |
| 3.15 „ 4.0 . | Gymnastics. | 7.0 . . | Supper. |
| 4.0 „ 4.30 . | Pointing. | 9.0 . . | Bed. |
| 5.30 „ 6.30 . | Instruction on keeping arms clean, &c. | | |

Instruction in skirmishing begins the second week, and occupies an hour and a half every day. During the first six weeks the non-commissioned officers exercise their

groups in obeying the bugle-calls, which are sounded by the lieutenant at a distance. After the seventh week, and till the tenth, this exercise is repeated only every other day. In the eleventh week, the lieutenant assembles all the recruits of the company in one detachment: each of these groups constitutes a platoon formed in two ranks. The three platoons are ranged one behind the other, and thus a little column is formed, which the lieutenant exercises as if it were a complete company. The men by this means get an idea of the relations of open order and compact order, and of the movements and formations peculiar to the latter. It is the best possible preparation for the school of field exercise, to which they pass in the thirteenth or fourteenth week after their incorporation.

After the preliminary instruction in pointing, in the fifth week the recruits are given a little gun (*kleines Gewehr*), which allows of good practice at fifty paces. But the moment when they begin at the butts with their regular weapons is not fixed. Sometimes men are in 'Duty State' who have only fired ten rounds, whilst others may have fired forty.

In the evenings the men are taught by a tailor how to repair their clothes; during this instruction, or after it, they are exercised in bugle-calls by the lance-corporal.

Theoretical instruction is given by the lieutenant once a week during the first four weeks, thrice in the next four, and thrice in the last four. The rule is not absolute, and there is no regulation-book from which the teaching is given. The instruction is oral, and catechetical.

The accompanying table will show the training to which recruits are subjected during the fourteen weeks before they are in 'Duty State.' It must be understood that this is no regulation table. The arrangement will be different in every company.

*Table of Exercises &c. of*

| Weeks | Drill, and Instructors | Management of Arms, and Instructors |
|---|---|---|
| First | *Non-Com. Officers.* — Saluting; positions of a soldier without arms; forming line; half-facing whilst marching or at the double. | *Non-Com. Officers.*—Aiming with gun on rest.<br>*Lance Corp.*—Loading. |
| Second | *Non-Com. Officers.* — Saluting; position of soldier without arms; slow marching.<br>*Lance Corp.*—Presenting arms. | *Non-Com. Officers.*—As first week.<br>*Lance Corp.*—Manual exercise. |
| Third | *Non-Com. Officers.*—Position of a soldier under arms; slow and quick marching.<br>*Lance Corp.*—Presenting arms. | *Non-Com. Officers.*—Aim at picket with hand supported.<br>*Lance Corp.*—Manual exercise, and movements executed with gun. |
| Fourth | *Non-Com. Officers.*—Slow marching without arms; quick march.<br>*Lance Corp.*—Forming line on rear companies. | *Non-Com. Officers.*—Aim at picket.<br>*Lance Corp.*—Gymnastics with arms. |
| Fifth | *Non-Com. Officers.*—Quick march with arms, defiling to drum.<br>*Lance Corp.*—Half-face in close files, forming line on rear company; charge with bayonet. | *Non-Com. Officers.*—Aim at picket; practice with small guns at white target. |
| Sixth | *Non.-Com. Officers.*—Double quick march.<br>*Lance Corp.*—Manual exercises; forming for attack and in square. | *Non-Com. Officers.* — Aim without support.<br>*Lance Corp.*—Gymnastics with arms. |

*Recruits during Fourteen Weeks.*

| Theoretical Instruction and Instructors | Skirmishing | Gymnastics | |
|---|---|---|---|
| | | With Bayonet | Athletics |
| *Lieut.*—Military duties and spirit; the laws of war.<br>*Non-Com. Officers.*—Particulars of service and duties of a soldier. | — | Easy movements. | First series. |
| *Lieut.*—As first week.<br>*Non-Com. Officers.*—Composition of a regiment; distinctive bodies. | Without arms, disperse, advance, retire, quick, slow, and as ordered. | Complicated movements | Second series. |
| *Lieut.*—As first week.<br>*Non-Com. Officers.*—Honours and marks of respect; military subordination; conduct during service; rules of detachment; military bearing. | Without arms, échelon. | Face about, and fencing exercises. | Third series. |
| *Lieut.* — Repetition of lessons.<br>*Non-Com. Officers.* — Regulations on lodging and pay. | Armed, and to bugle-call, repetition of movements of second and third weeks. | " | Alternate days the different series. |
| *Lieut. and Non-Com. Officers.* — Instruction in presence of commandant; internal economy, guard, campaigning, mounting and unmounting of firearms. | Armed; change of front; échelon, in rank and to call. | | |
| *Lieut.*—Theory of ball practice.<br>*Non-Com. Officers.* — Service of guard. | Firing, stationary and marching. | Double forward and to rear. | " |

*Table of Exercises &c. of Recruits*

| Weeks | Drill, and Instructors | Management of Arms, and Instructors |
|---|---|---|
| Seventh | *Non-Com. Officers.*—Marching to a flank. | *Non-Com. Officers.*—As sixth week. |
| | *Lance Corp.*—Manual exercise, in position and whilst marching. | *Lance Corp.*—As sixth week. |
| Eighth | *Non-Com. Officers.*—Manual exercise whilst marching; groups exercised together, forming lines on file; changing front.<br>*Lance Corp.*—Mounting guard. | *Non-Com. Officers.*—Aim from the knee; target practice.<br>*Lance Corp.*—As sixth week. |
| Ninth | *Non-Com. Officers.*—Bayonet charge; filing off; forming line to the front by files, and on non-commissioned officers placed in front. | *Non-Com. Officers.*—Aim from the knee.<br>*Lance Corp.*—Aim on the elbows. |
| Tenth | *Lieut.*—Combined manœuvres; half-turns, wheeling lines to front and rear.<br>*Non-Com. Officers.*—Forming for attack and in square; flank movements. | *Non-Com. Officers.*—Aim lying down. |
| Eleventh | *Lieut.*—Combined manœuvres; charging; lines for attack and in square; line formations; flank movements.<br>*Non-Com. Officers.*—Wheeling on the march; groups manœuvring separately. | Aiming; repetition. |
| Twelfth | *Lieut.*—Combined manœuvres; wheeling on the march; oblique movements. | |
| Thirteenth | " | |
| Fourteenth | " | " |

*during fourteen Weeks*—(Continued.)

| Theoretical Instruction and Instructors | Skirmishing | Gymnastics | |
|---|---|---|---|
| | | With Bayonet | Athletics |
| *Lieut.*—Theory of rifle practice once a week; twice a week service of guard.<br>*Non-Com. Officers.*—Service of guard. | Whole company united; repetition of second to fifth weeks; advance in groups, the whole company. | Attack. | Alternate days the different series. |
| *Lieut.*—Same as seventh week.<br>*Non-Com. Officers.*—Same as seventh week. | Repetition in company of exercises second to seventh weeks; rallying in square. | Repetition. | ,, |
| *Lieut.*—Same as seventh week.<br>*Non-Com. Officers.*—Instruction on arms and on service of guard in presence of commandant. | ,, | ,, | ,, |
| *Lieut.*—Instruction on arms.<br>*Non-Com. Officers.*—Instruction on arms. | Bayonet attack, halt, and re-form in line. | ,, | ,, |
| *Lieut.*—Instruction on arms.<br>*Non-Com. Officers.*—Same, in presence of commandant, who questions the men. | Salvos in four ranks deep; attack in échelon. | ,, | ,, |
| *Lieut. and Non-Com. Officers.*—Repetition of first and fifth weeks. | Formation in square, and movements in square. | ,, | ,, |
| *Lieut. and Non-Com. Officers.*—Repetition of service of guard. | ,, | ,, | ,, |
| *Lieut. and Non-Com. Officers.*—Repetition of lessons on arms. | ,, | ,, | ,, |

3. *Period of Spring Exercises and Inspection.*—The period of individual instruction passed, an inspection of the recruits is made by the commandant of the regiment, after which he passes them into the company school.

This inspection, which takes place about the end of February, is one of the most important days in the military life, and it usually excites the liveliest interest, not only among the officers of each regiment, but throughout the garrison, so that for some time nothing else is talked about than the results obtained by this or that captain, the merits of this or that plan of instruction, and the quality of the men about to pass. The inspection takes place with great solemnity. All the highest military officers in the garrison attend in full uniform. The men are presented to the colonel by the lieutenant of the company. The inspection is in two parts. One has to do with the manœuvres, and takes place on an appointed day. The other, which is an examination into the theoretical knowledge of the recruit, his gymnastic acquirements, &c., takes place as suits the convenience of the colonel. The review of the recruits is minute and thorough. They are put through all the evolutions: the cadence of their marching is taken by the watch [1] The inspection of fifty recruits occupies two hours. When it is over, the colonel addresses a few words of encouragement to the young soldiers, and congratulates them, if they deserve it.

The inspection over, the recruits cease to form a class apart, they are admitted into the ranks of the company, and take part with the older soldiers in all their duties and drill. It is not that their education is supposed to be terminated, but it is supposed that they have arrived at a point at which the example of older soldiers and contact

[1] Quick march is 112 to the minute.

with them, along with the varied exercises of the Spring period, will complete their military education.

During the two preceding periods a great strain has been put on the older soldiers. Many have been detailed as instructors, and all the duties of guard have devolved on the rest; so that every soldier has often to be on guard once in three days. Now the companies are filled, and the turn of each man comes only once in ten or twelve days. The captain has now all his men at his disposal for company evolutions.

He proceeds at once with the reorganisation of his company. The place of each soldier is assigned him according to his height; and the whole company is divided into three platoons, formed in double rank, each of which constitutes a section commanded by a non-commissioned officer. The lance-corporals, orderlies, &c., are distributed evenly through the sections, and each is given charge of an equal number of new soldiers.

During this period the service is more varied. The Spring exercises comprehend company and battalion drill, and the evolutions of the regiment and brigade. Moreover, target-practice is now seriously undertaken. It is unnecessary to say that individual exercises, gymnastics, fencing, &c., are not given up, but they take a subordinate position.

Each company is divided into three distinct groups; the first composed of men of superior military aptitude, the last, of men exceptionally clumsy or stupid. The second group is the most numerous. The exercises of each group are calculated to meet its special requirements. The men in the third group have their deficiencies plainly pointed out to them, that they may make efforts to remedy their defects. Every Saturday a transfer is made from one group to another, according to progress made. But

inversely, also, it may happen that a man is degraded into an inferior group, if he shows himself incapable of keeping pace with those with whom he has been associated. No regard is had to time of service, all that is looked to is the qualification of each.

During the war of 1870–71, the importance of the company as a tactical unity was made clear. Since that date the German captains have redoubled their efforts to give their companies the highest attainable suppleness and cohesion. But in this, again, there is no regulation drill; each captain is left to follow his own inspiration and experience. Company exercises are generally preceded by military promenades into the country, to accustom the men to long marches, and familiarise them with the principal rules and precautions to be observed on them. They are usually marched in columns by sections, drums and bugles at the head, but not in close rank. On the way the soldiers are given an explanation of the object and utility of such and such regulations, and every occasion is taken to show them what consequences the neglect of these precautions would entail. When the march is long, it is interrupted by halts, and the captain orders the men to pile arms, and then gives them instructions on bivouacking. The men on the first march are fully equipped with bread-pouch, can, and knapsack, the latter empty. After a few marches the saucepan is added, then the great-coat and stew-pan.

The company drill takes place on the Exercirplatz, a level space to be found in every garrison town, not within rails, but completely open to all the world, and a favourite lounge of nursery-maids. Now begin the Schulexerciren, on which German military authorities lay great stress. Their object is to bring bodies of men into the most perfect control by their officers. The men are put through all the

regulation forms. But this is by no means all. The captains during the course of the Schulexerciren—the regulation exercises—order at times movements absolutely contrary to those indicated by the regulation. The advantage of this method is, that the men are kept on the alert, and learn to disentangle themselves, and form with admirable rapidity; and they acquire the conviction, that whatever the order given, it must be promptly and precisely obeyed. As soon as all formations are familiar to the men, they are taught to pass from one to the other at a double, and without following any regulation order. The object sought is to obtain the instantaneous and mechanical execution of a movement, at the mere word of command. All formations and principles relative to dispersed order are taught with special care, always on the Exercirplatz, that is to say, without regard to the nature of the ground. It is only when a company is perfectly master of its regulation formations, that it passes to these exercises applied to the actual condition of the country.

These exercises last from five to six weeks. Not a movement is made without its mechanism and its tactical aim being clearly explained to the private soldier. During this initiatory process, the progress is slow, but when acquired, there follows extreme rapidity of manœuvring, commands succeeding one another without relaxation, executed at a run; regularity, the cadence of the steps, rectification of line, are strictly exacted when the movement is accomplished. Such is the method adopted; and, the result is that the company acquires extraordinary suppleness, and the attention of every soldier is kept on the alert. For often the soldiers have no sooner taken three or four steps towards the formation that has been ordered, when a new command is given.

After the inspection of the companies, battalion drill

follows, and occupies from three to four weeks. These exercises take place thrice a week, and occupy about three hours on each occasion. The other three days of the week are devoted to company drill. The men are also practised at judging distances, fencing, and at the targets. When the battalion review is satisfactorily over, regimental evolutions follow during a fortnight, on alternate days. After the regimental exercises, followed by an inspection, come the brigade exercises, occupying about a week. Then the brigades are inspected, and by that time, the period of spring exercises has come to an end, and has to make way for field exercises.

The war of 1870-1 produced such an impression on military officers, that the instruction of the troops has become, if possible, more practical than ever. In all their exercises we have the repetition of a battle in all its forms. The memorable day of Saint-Privat, especially, and the enormous losses to which the infantry were subjected in traversing that bare plain under a murderous fire, has greatly contributed to determine the direction of the present instruction of the troops.[1]

It is a matter of principle in these manœuvres never to repeat an order. He who has given one, waits patiently its execution. And if a subordinate hesitates, or makes a mistake, his superior officer is content to point it out to him when the *critique* takes place at the end of the instruction. It is thought of the utmost importance to allow him the means of correcting himself, of finding out his own mistake and remedying it as best he may, without the intervention of his superior. Again, I must repeat, the end aimed at constantly and unflaggingly in the

[1] See on these regulation exercises Tellenbach: *Die Taktik u. die Ausbildungsmethode d. Preussischen Exercirreglements f. die Infanterie.* Berlin, 1876.

German army, is to develop the individual initiative in every officer in every degree, from the general-in-chief to the sub-lieutenant. A German general says on this particular :—

'Although we have a perfect right at all moments to criticise the proceedings of our inferiors, yet we abstain, on principle, from doing this, even when we hear them express opinions in their *critiques* contrary to our own. No two men in this world see a thing from the same point of view, and we hold that, before we can judge of a system, it is necessary to wait till we can estimate the results it produces. When the day of inspection by us arrives, then we formulate our requirements and pass our opinion. But, above everything, our object is to develop in our officers initiative, and an interest in their profession. And we believe there is no better means of attaining this than by giving them full and entire liberty to follow what course they please, so long as the end be gained. Besides, by listening to their criticism, we obtain the precious elements of appreciation of the value of each.'

Young English officers take but a languid interest in their profession. They go through their duties perfunctorily; but it is a rare exception to find one eager and interested in the science of war. I have quoted in a former chapter the remark made to me by a German schoolmaster: 'Your English boys play over their lessons, and work at their play. I rarely get a pupil from your country who takes any interest in his studies.' It is much the same in our army. Our young officers do not take up their career as a business, but as a task. It is the reverse in Germany. Everything connected with his profession excites the liveliest interest in the lieutenant. His library is stocked with military books, he devours the last new monograph in military science with more eager-

ness than the English officer manifests for Ouida's latest novel. The German press teems with books of this sort, and publishers would not undertake them unless they had a large sale. I have counted eighty-five works, exclusive of magazines and papers devoted to military matters, which have been published during the three months, April, May, and June, 1878. Can the English press show a quarter of this number in the whole year? And here I may add my opinion of the young German officer, as he is a social and moral element in every city. I have the very highest opinion of him for his integrity, honour, devotion to his profession, and to the men put under his charge. I do not believe a more worthy, conscientious set of officers is to be found in any army. That they are not always what we understand in England by gentlemen, is also true: they are drawn from the bürger class, and inherit its want of breed.[1] And if anything could reconcile an Englishman to the idea of universal military service, it would be the conduct of men and officers in a garrison town. The three years' service has a mighty educational effect on the country clown. It sharpens his intelligence, polishes his manner, widens his ideas, teaches him the advantages of organisation, and the necessity for discipline, and he returns to his native village, improved physically, mentally, and often morally as well.

4. *Period of Field Exercises.*—With summer begin the exercises applying what has been already learned to the exigencies of facts, as in real warfare. For this purpose, the soldiers are taken out into the country, sometimes

[1] This applies to the infantry and artillery. The cavalry are recruited almost exclusively from the gentry. A few of noble blood are to be found in the infantry; but very few. In the army, as elsewhere, class distinction intervenes injuriously. When I speak of 'gentlemanliness,' I do not mean only in manner, but in mind. I have been surprised to find even officers high in rank incapable of seeing what is

for the whole day, sometimes for twenty-four hours, and even more. They are taught to adapt their movements to the nature of the country, to take on the march all the precautions necessary in time of war, to execute small manœuvres, attack and defend positions, surmount obstacles, bivouack, also to learn sapping, swimming, and practice at targets. Up to the middle of June these exercises are carried out in companies, after that in battalions, and then in regiments, and with troops of all arms combined.

Modern warfare has proved the great importance of these exercises: consequently, the greater part of the summer is placed at the disposal of the commandant of a company for carrying them out. We will take very briefly the regulations governing them.

1. *Patrols and Outpost Duty.*—Although this branch of service specially belongs to the cavalry, it is, however, made a matter of serious attention in the infantry. Before sending out a company, outposts are exercised near the barracks on the drill-ground, so that all may see the object sought and the general disposition. The soldiers thus learn at once how the foreposts serve as a protection to themselves, and as spies on the movements of the enemy. And the officers take pains to point this clearly out to their men, and show them how to regulate their dispositions by those of the enemy. When these first principles are well ground into them, the company is led into the country.

Great care is taken to train soldiers to execute their duties as sentinels and patrols with intelligence and observation. Every soldier has it impressed on him to distinguish rigorously between what he has seen and what

courteous and right, as it would commend itself at once to any educated Englishman.

he believes he has seen, between facts and conjectures—a lesson much harder to learn than many would suppose. Every report contains first statements of what has actually been observed, and then conclusions drawn from them. It is worthy of remark that in all reports, whether in time of peace or of war, one uniform pattern of memoranda and envelopes is used. Each page bears all the necessary indications, printed by the Imperial Secret Press at Berlin, which issues these memoranda-books and envelopes to all the soldiers. On the envelope, beside the address and the hour of despatch and receipt, is marked the pace at which it is to be conveyed to its destination. X indicates that it may be carried at foot-pace; XX, at a trot; and XXX, at a gallop. These marks give the measure of the importance of a despatch. The reports and addresses are always written in pencil. This uniform method of reporting has this advantage, that every soldier is perfectly familiar with it, and with the regulation for the transmission of orders and information; moreover, all reports being of an uniform size, are more easily preserved in the journals of the march and the regimental archives.

After the instructions of the companies, battalion exercises follow, and then those of regiments, each fraction occupying all the space which, according to the conditions of the land, it would have to occupy in the event of actual war. During these manœuvres, which sometimes last a long time, the officers are given independent missions of which they must render an account later.

2. To familiarise the men with marches and the precautions to be adopted on them, advantage is taken of the journey to the field of exercise. Often two companies, or two battalions, take different routes toward the same spot, and feel one another on their way, or, on the

contrary, watch and harass each other's march. Along the whole way they fire incessantly on one another, as a soldier discovers himself flying from one poplar to another, or a head appears above a hedge, or out of a ditch, along which a column is creeping under cover.

3. To these two species of exercises is added instruction on the manner of organising and guarding a bivouac. The men are taught the proper dispositions: the vedettes and other sentinels are placed; the position of the kitchens is determined, and sometimes actually erected and used. The men learn to extemporise fireplaces with bricks or stones or clay, and to collect fuel for them, some arrangement having been come to beforehand with the owner of the land. The men not occupied, either seated or standing, are given full explanations of the why and wherefore of everything that is done, and why the spot is chosen. To exercise the officers and non-commissioned officers in choosing proper places for bivouacking, the troop is preceded by a patrol commanded by an officer charged with this duty.

4. During the little manœuvres the men are taught to surmount difficulties, to jump ditches, and, if too wide to be overleaped, to bridge them. In traversing a wood, call-words are given out to the several companies, and the men enter the wood and disappear, but are kept together by their cries.

5. Small manœuvres are made, such as the attack or defence of divers accidents of the country, either with or without an enemy represented. Sometimes part of a company is detailed to keep a group of houses or a hill against the advance. I have seen dummy soldiers *in French uniform* put previously about on a wooded slope in positions likely to be occupied by an enemy defending it.

The captain, standing in the middle of his company, points out to his men what has to be done. Such a height has to be stormed, or the enemy dislodged from such a village. He indicates the difficulties and the advantages of the ground; and shows them the objections which forbid his adopting one mode of attack, and the reasons which induce him to take another. He bids the men observe on what point during the attack their attention must be fixed, and how that success depends on such and such things being done. When companies are engaged in sham fight with one another, the commandants of the battalions give their captains small tactical problems which they are required to resolve.

6. During all these exercises, the men are incessantly called on to observe and take advantage of the accidents of the ground in all possible circumstances, being told both *how* to do so, and also *why* to do so.

7. All through the summer the men are taught swimming: a lesson in the Schwimmbad generally follows some instruction that has not been of an exhausting nature.

8. The men are not exercised in the corps to manage cannon. But the commandants of battalions detach annually from one to four lance-corporals into the artillery, to learn there the management of caissons of infantry ammunition. Each battalion by this means obtains a number of men familiar with this branch of the service.

9. Instruction on spade work becomes annually more and more important. Since the Russo-Turkish war it has attracted redoubled attention. In order to have good instructors for the regiments, each details annually one officer and six non-commissioned officers to the sappers and miners, where they learn the work necessary for the infantry. This is acquired in about forty-eight days, according to this table.

| | Days |
|---|---|
| 1. Preliminary exercises. The resolution of geometrical problems on the surface of the soil. Tracing and measuring lines . . . . . | 2 |
| 2. The making of fascines, gabions, baskets, &c. . . | 3 |
| 3. The throwing up of lines of defence, creation of obstacles . . . . . | 12 |
| 4. Castrametation . . . . . | 8 |
| 5. Military bridges . . . . . | 14 |
| 6. Destruction of railways and telegraphs . . . | 3 |
| 7. Practical application of preceding instructions . . | 6 |
| | 48 |

After the end of the grand manœuvres in each regiment platoons of sappers are formed (*Pionierzüge*). To constitute them eight soldiers are detached from a company, and one officer from a battalion. The union of these twelve platoons forms the regimental detachment of pioneers, who are placed under the instruction of those previously detailed for the purpose of learning the work, as already described. The regimental detachment of pioneers, therefore, comprises, including instructors, four officers, six non-commissioned officers, and ninety-six soldiers.

The effective force of this detachment may seem small, but it must not be forgotten that, as the regiment renews itself every year for three years, the actual number is not 96, but 288 well-instructed soldiers, capable of teaching the others. Moreover, as one officer and six non-commissioned officers are detailed to learn sapping every year, after a few years almost all the lieutenants, and many of the superior officers, have passed through the sapping school, and the regiment contains a very considerable number of non-commissioned officers perfectly familiar with the use of the spade.

With regard to target practice, I will note but one significant fact:—all officers, under the commandants of the battalion, are obliged to pass every year through the

whole course of exercises with the gun at the target. This obligation extends also to the superior officers, the colonel included, and his practice is recorded on the book of the first company, precisely like that of a private.

5. *The Autumnal Manœuvres.*—Three months before these begin the general charged with the conduct of a division or a brigade is informed where they are to take place. The area allowed for them is about thirty square miles. He goes there, inspects it, and sketches the outline of some dozen affairs which might come off there, the forcing of a defile, the passage of a river, the storming of a height, &c. Then he returns and arranges his sketches for carrying out on so many days. When the period of the manœuvres has arrived, the troops are marched to the scene. It takes them, of course, several days. Then, on the eve of each sham fight, each commander-in-chief receives a written notice of what has to be done by him, and he is left entirely free in his movements till the end of the battle. Each of these affairs is always over by two o'clock in the afternoon. The commanders-in-chief for the morrow are then designated, and they betake themselves with their troops to their respective cantonments, and give the orders necessary for the morrow.

But the important feature of the manœuvres is the criticism passed on each as soon as it is executed. This is a lesson in applied tactics practically illustrated by what has just taken place. It embraces the twenty-four hours of command of each commander-in-chief, and takes place as follows.

As soon as the action is judged to be terminated, the general has the 'cease fire' called on his bugle, and this is repeated over the field. At this signal, all the officers assemble about him, and the commanders in turn give their accounts If one is uncertain about a detail, as a

brush of outposts, the destruction of a bridge, or the depth of a stream at a certain point, he calls on the officer of his camp who assisted at it to supply the requisite information. The head of the other camp then gives his account. After that the general sums up, and passes his opinion on the general result with great moderation and forbearance. He is guided, not only by what he has seen himself, but by information supplied by the umpires. These are staff officers of various grades, distinguished by a white favour. Their united reports allow of all the particulars of the combat being collected in their chronological order. It is their office, during the contest, to stop the fire and the advance of troops when they judge that in actual warfare they would have been placed *hors de combat.* Their decision is without appeal, and executed immediately. Their reports are communicated privately to the general, whilst the officers are on their way to hear his critique. Consequently, they become an instruction to him as well as to those engaged. Each commandant compares what has really taken place with what he believed he saw, and this makes the manœuvre the more interesting, for each is sure of being able to complete or rectify his views at the end of the day, of ascertaining then what had escaped his eye or intelligence during the action. Without the criticism, the manœuvres might be mischievous rather than useful, for those who saw wrong might remain undeceived and be confirmed in their errors. But the critique sets all to rights. The criticism of the foreposts and of the reconnaissances takes place after that of the engagement. After dinner, the general directing the manœuvres mounts his horse and betakes himself with his staff to the outposts of the two camps which are to be engaged on the following day.

6. *The Grand Manœuvres* succeed those of the detach-

ment. In them, at least a whole army corps is engaged. They are the crown of all that has preceded of the military instruction of the year. Of these it is quite impossible here to give any particular account. They are rehearsals of great battles. But one feature in them recurs frequently, which is evidently a favourite with Prussian tacticians, and which deserves mention. During the course of the combat, the different groups of forces are occupied on their several tasks. The action appears to be one of a series of detached engagements. Then, suddenly, towards the close of the day, all form for a general attack, and are poured like an avalanche at the foe, with the purpose of crushing or enveloping him. The movement along a league of country is conducted with lightning-like rapidity. Troops out of sight of one another attack at almost the same minute. This is the fruit of frequent exercise.

I am writing a chapter, and not a book, on the organisation of the German army, and therefore can only note such features as are peculiar to it, and that strike a foreigner. Want of space obliges me to omit much that would be interesting to military men rather than to the general reader. For this reason I must also pass over the special training of the cavalry and of the artillery, that I may describe some other special features of the German system deserving of attention.

Having spoken of the ordinary private, I will now say something of the volunteer, and the *Gefreite*, who has been met with in the course of the preceding pages, and who has probably puzzled the reader.

Every German subject, as soon as he is seventeen, is recognised as able for military service, and if he likes, may then enter as a volunteer. The heads of the corps are not, however, bound to accept every man who offers,

and a volunteer has sometimes very great difficulty in obtaining admission. This is, perhaps, more the case with the volunteers for three years, who enter at seventeen, than with the others, for an officer does not like to have a boy of that age in his company, when he is sure to get him later, if he wants.

There are *Freiwilligers* (volunteers) of two sorts:—

1. Those who volunteer for three years, in the cavalry for four years.

2. Those who volunteer for one year (*Einjähriger*).

1. *Volunteers of Three Years.*—The number admitted into a company in the course of the year may not exceed ten, or forty in the battalion. This restriction applies, however, only to the infantry. In the cavalry, when they volunteer for four years, they are most readily received, and whole regiments are made up of them exclusively. Volunteers of three years are paid and equipped by the state. The only advantage they gain is that they get over their military service earlier than if they waited till called into the ranks, and they need not live in barrack.

2. *The Einjähriger.*—Every young man between seventeen and twenty apt for military service, of irreproachable conduct, who has satisfied the Government that he has been highly educated, may enter the army as a volunteer of one year.

The institution of volunteers for a year has for object the preparation of officers and sub-officers for the reserve, capable of being utilised in time of war.

To become an Einjähriger, a young man must produce a certificate of having passed, in the *first* class at the Lyceum or Bürgerschule, an examination conducted by commissioners appointed by the Government. The examination is extremely searching and hard; consequently only youths of ability can pass it. Moreover, as these

young men are destined to become officers of the reserve, the heads of the corps are very particular about admitting only those who they are satisfied will do credit to it, and they pitilessly refuse those who do not satisfy them on their past respectability of conduct. That a certain amount of class favouritism, or prejudice against the appearance of a candidate, influences them, is asserted, and may be true.

A Freiwilliger, once admitted, is obliged to serve a year either in the ranks or in a military establishment, according to whether he possesses a general or a special education, which may be utilised in the army. Consequently the Freiwilligers may serve either as ordinary soldiers, or as doctors, veterinary surgeons, or chemists.

Each company can receive annually only four volunteers, except in university towns, where the number of Einjährigers is unlimited.

The Einjährigers receive no pay, purchase their uniform, board and lodge at their own cost, and are not counted among the effective force. Arms and equipment are furnished them by the regiment at a certain annual price, and they are bound to restore them to the depot, at the end of their term, in good condition. An uniform in the line costs 58 mks. 62 pf., or nearly 3*l.*, and for the use of their arms they pay 3 mks. 23 pf., or 3*s.* 3*d.* A chasseur, however, pays for his regimentals 3*l.* 18*s.* 0*d.*, and for his arms 1*l.* In the cavalry a volunteer pays 15*l.* for his horse, 6*s.* for shoeing, and he keeps him in hay and corn.

In the train, the price of a horse is 7*l.* 10*s.*

The Einjährigers do not live in barrack: they lodge in town; but have, of course, to attend drill and parade at the regular hours. They are distinguished from the ordinary privates by a button on the collar, and are usually drilled apart from the rest.

Six months after entering the service, the Einjährigers are inspected by the commandant of the regiment, not only in their drill, but also on their theoretical knowledge. If they pass the examination well, they are promoted to be 'Gefreiten;' and from that day serve as lance-corporals. At the close of the year, the commandant of the regiment gives each volunteer a certificate indicating the extent of his military knowledge, and the functions he is calculated to fill in the reserve; that is, whether he is fit to be classed as an officer or as an under-officer. Those to whom this certificate is refused, are relegated to be privates in the reserve. Those who have obtained the certificate of officer in the reserve quit the regiment with the grade of under-officer; but this certificate does not give them the right to be named immediately officers in the reserve: to obtain this, they must, in the year following their liberation, serve for two months again. During the first month that they are again under colours, they act as non-commissioned officers; then, if they are considered to merit it, are advanced to be Vice-Feldwebel. When they have completed their eight weeks, they are dismissed with a certificate stating whether or not they deserve promotion. Furnished with this, the candidates go to the commandant of the district of the Landwehr battalion to which they belong, and he subjects their claim to the vote of the officers of the district. For this purpose there exists a permanent commission (*Wahlcommission*) in every battalion district, composed of the oldest captain and of two lieutenants, and the nomination of each new candidate is put to the vote. Against the decision of the majority there is no appeal. If the vote of the corps of officers is favourable, the candidate is proposed to the Government for the grade of officer of reserve. The object of the election is to enable the reserve and Landwehr to secure as their officers

only men whose conduct in their homes offers a guarantee that they will not discredit their epaulettes. When named to the Emperor, the new officer of the reserve receives a brevet, informing him whether he is attached to a regiment, or simply to his district of the Landwehr. That this system is productive of good effects, and is of very precious advantage to the army, is a matter of general recognition. Irrespective of the good results produced by the passage through the ranks of all these well-educated and highly instructed young men, the system of Einjähriger has afforded a simple and rational solution to one of the most difficult problems of mobilisation—the recruital of the officers. Nearly all the European armies suffer from want of reliable officers, even in time of peace. Where are the requisite number to be obtained, all at once, for the mobilisation of the active army, and to form the reserve, and Landwehr? The part of an officer in modern warfare has become so important and so difficult, that, in order to perform it properly in time of war, it is indispensable that a special education for it should have been acquired in time of peace. This question of capital importance long engaged the attention of the Prussian Government, which has resolved it in this really brilliant manner.

Not only is the army provided by this means with a reserve of officers who can be employed for the formation of new corps, but each regiment possesses as it were a depot of officers, a well-replenished store belonging specially to it, and with all the *personnel* of which the regiment is fully acquainted. This is a consideration of extreme importance. The corps, in instructing their Einjährigers, are working for themselves, and are those chiefly interested in using every effort to give these young men the best possible military education, for it will require their aid at the critical moment of mobilisation, and during

war. These Einjährigers, so far from being regarded as a privileged set, evading the duties of three years' service, a burden to the corps for which there is not compensation, are highly esteemed, and the labour devoted on them is not regarded as thrown away. Each regiment is always able, in the event of war, to call to its aid the cream of its pupils. Suppose, for instance, that in the course of a year fifty Einjährigers have been admitted. At the end of a twelvemonth, maybe, twenty-five have received a certificate of candidate for the grade of officer of reserve. Let us suppose that of these twenty-five, ten only—the ten best—are designated to be officers in their regiment: it follows that this regiment will send each year into its reserve ten officers belonging to it, specially chosen from among fifty volunteers, and fifteen good officers into the general reserve of the army. At the end of ten years, the regiment will have in its reserve about 80 officers, a superabundance, out of which to draw to supply the vacancies that may occur, either in its battalions engaged, or in the reserve and Landwehr. But even if a corps should happen not to have sufficient in its special reserve, it can easily supply itself from the general reserve, which is always abundantly filled.

The French system is not quite the same. With republican love of equality, all of every class have the same measure dealt out to them. The beds of the tramp and nobleman adjoin in the dormitory; they sit side by side at mess, and associate in one common room in hours of relaxation, as they dwell together in the same company on the parade-ground. The French period of military service is five years instead of three.

Now to a peasant and cotter's son, it is no hardship to live, work, and sleep in a crowd. He has been brought up not to know and care for the privacy of his own room.

It is not so with a member of the upper or middle class. To him privacy is as much a necessity as clean linen and a tooth-brush, not only because his habits are more refined than those of the lower classes, but also because he has, on the expiration of his term of service, to enter a profession, and during service he must keep up his studies qualifying him for it. To do this in the common room of a barrack is impossible. The consequence is that the French system imposes on its superior classes a very galling hardship. A French gentleman now undergoing his military course writes: 'I would I were a German for one reason!—to be a volunteer,—and escape the degradation of daily, nightly, hourly association with men, some of whom are the scum of a society not uncorrupt. In this atmosphere, the mind loses its polish and its edge, and callousness invades the heart. The barracks are to the man of culture what *les galères* are to the lower orders.'[1]

The French system has not been working long enough for its results to have declared themselves, but some fruits are already ripening, and two are becoming conspicuous; the man of superior mental, moral, and social qualities leaves

[1] A young Frenchman who wishes to avoid conscription may enlist as a one-year volunteer, after paying 60*l.* to Government and passing an examination with a view to showing that he has received a good school education; should he be unable to do this, he must take his chance at the lottery. If he draws a bad number, he will have to serve five years; if a good one, he gets off with six months, and is then drafted into the active reserve, which renders him amenable to be called out for twenty-eight days' training every two years until he is thirty. After this he is enrolled in the Territorial Army, which can only be called out in case of an invasion. As for the soldier who has served five years, he likewise passes into the active reserve for four years after his discharge, and during that time he may be ordered to rejoin his regiment in case of war. Thus the active reserve will in time comprise men who have served six months or five years; but as the new military law only took effect in 1873, the first supply of five-year men has not yet been drafted, and the bulk of the reserves is made up of men who served seven years under the old Imperial law.

the barrack at the end of his service deteriorated, and consequently there is growing up among the cultivated classes a disgust and abhorrence for the service in which they were condemned to either one or five years' penal servitude. The effect produced in Germany is in all respects the reverse. A Freiwilliger of three years can escape barrack life except for one month. The object of the German Government is not to break down a man's self-respect, but to encourage it. And I believe there is scarce a private or volunteer who does not pass into the reserve a better man mentally, morally, and physically than he entered the army, and as a natural result, men look back on their three years with pride and gratitude.

It is impossible to deny that the rigorous method of instruction followed with the troops has much to do with the excellence of the results attained: it must not, however, be left out of sight that the officers are the soul of this instruction. Whatever may be the level of their general education, one may justly say that they are all, in their particular lines, specialists, and are full of the liveliest zeal for the service.

No doubt there are exceptions. But the officer who neglects his duties is closely watched, and if the measures taken to reform him do not succeed, he is remorselessly sacrificed to the general interest, he is dismissed, be his rank what it may. For the good of the service is not in theory only, but in fact, the supreme law, in the eye of which general and lieutenant are equal, and the principle that no man must be allowed to occupy a post for which he is incompetent is superior to every consideration.

But the vigilance of the superiors is not the only guarantee for efficiency. Equals mutually watch one another, for to all the service is a sacred cause; the accomplishment of their duty is a question of honour and

professional dignity. And this sentiment is so deeply ingrained, at least among the immense majority of German officers, that it overrides all personal considerations. They will not endure association with an incapable comrade, and they force him to resign the service and adopt another profession.

Thanks to these principles, conducted steadfastly for many years, the most brilliant results have been attained. The pitiless exclusion of all worthless elements on one side, and on the other the importance of the material advantages and honours accorded to the most deserving, have given birth to and maintained the most ardent emulation in the corps of officers in the German army. And this struggle for existence, this moral contest, is met with in every arm. In the line as in all degrees of the hierarchy, the effects are made manifest by the extremely conscientious manner in which every one fulfils the details of his task, and by the mutual respect which is elicited between all those who discharge their obligations well. Anything like the listlessness which is so common among our officers is foreign to the German army; for every officer knows that to keep his position, and much more to gain an advance, indefatigable and persistent work is indispensable, and not that only, but also one fertile in practical results.

At first sight it might be supposed that this constant rivalry between the officers would destroy good-fellowship. But the reverse is the case. Nowhere is it found more strongly developed. It is not restrained within the narrow circle of the regiment, but extends to all corps and to all branches of the service. It constitutes, in a word, a most powerful link binding together the members of the great military family. This *esprit de corps* is not developed merely by the solidarity created by common

interests. There are other causes, and in the first line may be reckoned the conditions of existence in which they are placed, such as—1. The mode in which the officers are recruited. 2. The liberty allowed to each in his own sphere of action. 3. The regimental mess. On these points I shall not say much. To the second I have called attention already. With regard to the last, it is sufficiently known to need no particular description. The officers are recruited from the upper ranks of society, from among young men who desire to make the army their profession. They must have served six months at least in a corps, and have passed a very trying examination. Moreover, a candidate for cadetship must obtain the consent of the head of the corps, which is not granted without a very searching examination into his moral, social, and mental qualifications. From the very first day of his admission, the cadet takes his place at the table of the officers, and has access to all their gatherings and military conferences. He is at once made to feel that he is a member of the corps of officers, so that he may accustom himself to their mode of life, and to the usages they observe in their mutual relations. They are of course subjected to very special and careful training in the A B C of military sciences, the bases for private study. But they are made clearly to understand that there is no advance possible for them unless they apply themselves diligently to their profession, and complete for themselves the very solid, but elementary instruction that has been given them. There are several military colleges for their training: Potsdam, Metz, Anclam, Neisse, Engen, Erfurt, Hanover, Cassel, and Munich. The course in these colleges is from eight to ten months. When it is complete, the officers detailed to give instruction to the cadets return to their regiments to take part in the grand manœuvres.

The cadet returns also to his regiment, and remains there till an election for a vacancy among the ensigns, which is made by the officers of the corps after a second scrutiny into the life and character of the candidate.[1]

The principle of free election of officers by their peers proves a most cogent motive to good conduct and personal effort. It is to this that the German army owes the recognition accorded to it in all classes. An officer has access to every circle. It is by its constant application that the ties of brotherhood are formed which unite the officers of a regiment, and even those of the whole army. It is by means of this that the corps of officers has become the animating soul that communicates movement and life to the whole army.

It must not be lost sight of, that the German soldier, being better educated than the English soldier, is more difficult to manage. He joins the army with formed opinions, and often with all sorts of pretensions. He reads the papers, has his political colour, and, what is more serious, knows enough to criticise and appreciate the acts of his officers. This is not, of course, the case with the mass of the soldiers, drawn from the country and from following the plough. But there are men also from the towns, some who have been reared in an atmosphere of Social Democracy, and such men, voluble and intelligent, are likely to exercise a dangerous influence on their simpler comrades. But though, from this point of view, the command of the men becomes difficult, it has its advantages.

In the corps there are men of superior class, and they exercise some influence, no doubt, in refining the others,

[1] As sub-lieutenant, he receives 1,200 mks. per annum = 60*l.*, but he is not elected to be an officer unless he can show that he has a private income equal to his pay.

though not much. But the happiest result is that all the officers are forced to keep themselves up to the level of their part and position. Each understands that he cannot teach others if he does not take the lead in knowledge, in personal qualities, and in courage. He is ever conscious that he must let the soldiers recognise a real superior in the man who commands them.

Lieutenants undergo a very searching examination into their qualifications, which lasts fourteen days. Such as have given the examiners reason to believe that they are men of extraordinary ability are taken into the 'Kriegs-Akademie,' but this contains only from 180 to 200 students. Here they study for two years. In the third year they declare themselves specialists in some particular branch of military science, or subject of military interest. They are then furnished with money by the War Office to travel for a twelvemonth, and perfect their speciality by study abroad; and they return reports to the War Office of their observations. On coming home they are appointed to the general staff, which thus forms an intelligence department as perfect as could be desired.

When one considers the marvellous perfection, in all its parts, of the German army, it is natural to compare it with the standard of our English service; and I think it is impossible for any one who knows anything about the two services to doubt that ours lags at least half a century behind that of Germany. Our organisation is not as thorough, our development of the intelligence of the several units is not as complete—indeed, we hardly attempt this, and we have not as yet inspired our officers in every grade with the consciousness that warfare is now a science demanding close attention and study. Nor have we the reserve force of other European nations. On a memorable occasion Lord Beaconsfield threw the taunt in

the teeth of Russia, that England could stand two, or even three campaigns, without her treasury being exhausted. That is no doubt true, but what is of quite as much importance in war as money is soldiers. In the Crimean war we were reduced to send out boys—we had no more trained men. Modern wars demand vast armies. Suppose England should on some occasion make up her mind to hit one of her own size, instead of bullying little savages, and should try conclusions with burlier and more civilised antagonists than Abyssinians, Ashantees, Afghans, and Zulus,—what would be the result? One campaign would consume our available force. Suppose we beat our opponent in it, he could send up a column of reserves and form a fresh line, as solid as the first, and we should fill our gaps with old reservists and raw recruits. Suppose we beat him in a second campaign, he would mobilise the Landwehr, and bring against us a third disciplined army of approved, well instructed, thoroughly trained men, and what should we have then to meet it? A Continental Power can now launch army after army against its enemy, and its military power is only exhausted with the manhood of the nation.

I fear we rely too much on our money, and not enough on technical education. A hundred years ago James Douglas, in his amusing 'Travelling Anecdotes in Europe,' gave a conversation which took place at Aix-la-Chapelle between an English colonel and a Prussian major, which curiously shows that the relative positions of the services and conceptions of military strength were the same then as now:—

'"My countrymen," said the colonel, as he raised the glass to his lips, "have made no despicable figure on the Continent. Our great Duke of Marlborough drove the French to the very gates of their capital by force of arms."

"By force of money, sir," answered the major. "But you allow him to have been a great general?" "Very true; and if riches constitute great generals, your country should have the first in all Europe; but what necessity is there for your having enlightened generals, when you have money enough to purchase your victories? I am sorry to say, sir, that your commanders have shown, even in my memory, that they are entirely ignorant of the word *combination* in an army. When your generals conquer, they conquer alone by the bravery of their men." "What the devil else should they conquer by?" replied the colonel, something elated. "By skill, sir; by the study of that terrific name, the *great scale of war*: we laugh at the word bravery. When our generals beat an enemy, they do not conquer by chance, or by the bravery of their troops, but by the mechanical power of their art. 'Tis true, your men stand in the point-blank direction of a cannon-ball by a constitutional firmness. We do not trouble our heads with stamina—we compel them to stand firm by discipline." "Then, I presume, the greatest coward in your army is as good a soldier as the bravest?" "We have no cowards; we all fight—every man of us."'[1]

The science of war is now cultivated to such a pitch, the field telegraph, like the nervous system of a human body, ties the whole army together into such a sentient whole, that victory is entirely the result of skilful combination. Mere brute courage counts for nought. No doubt our junior officers are as daring and brave as any men in the world, but when they know more of the rules of polo, and of the figures of a dance, than of evolutions in the face of an enemy, their courage will profit them nothing. Battles are now decided without the combatants

[1] Douglas: *Travelling Anecdotes through Various Parts of Europe.* 3rd edition. London, 1786, p. 269 *seq.*

coming to blows, when they can only discern one another through a telescope; courage is therefore passive, not active; it is merely dogged resolution to stand uncovered in a rain of bullets, knowing no more whence they come than if they poured out of the heavens.

One serious deficiency with us is capable of being remedied without making any radical change in our system. The German army has seventeen depots of men and munitions of war, each depot supplies a corresponding army division. We have but one store of arms—Woolwich, almost entirely unprotected. Let us suppose that a hostile army effected a landing on our South or East coast. If that enemy were Germany, our defence would collapse like a pricked bladder. The invading force would at once secure Woolwich, which is undefended by forts, and with the loss of it the heart of our resistance would be taken out of it. We need at least one central depot—say at Weedon—protected by a number of detached forts, which would harass and detain an invader. Again, our reserve system is altogether inadequate to our needs. The German reserves are called out *every* year, and consist of the cream of the army, of men who have served three years in the standing army. Every year for eight weeks the reserve is under drill, to ensure its efficiency, and to ensure its mobilisation on a moment's notice.

It is impracticable for us to adopt universal military conscription. It is a misfortune for an European nation to be obliged to have resort to this; but it is, under present circumstances, inevitable. We have a blue moat that surrounds us, and that saves us from having recourse to universal conscription for weighting our arm. It is not necessary for us to discuss the expedient, so long as we have the intention to remain at peace with the nations

on the Continent, and snap our fingers only in the faces of barbarians. Nor is it necessary to discuss it so long as we intend maintaining a purely defensive attitude, in the event of an European war in which we may be involved. In the field, whether abroad or at home, we could do nothing; we should be overwhelmed by numbers or bewildered by skill, and be like the bandaged boy in blind-man's buff, struck here, there, and everywhere, without knowing who was the assailant, and where to charge.

There is one eminently weak point in our system which is remediable. Our officers, from the lowest to the highest, should be required to cultivate their profession, study for it, and live for it. They are now, with rare exceptions, listless, hunting after pleasure, caring nothing for the art of their profession. We have, I do not doubt it, first-rate tacticians among our superior officers, but lower down there is not any professional enthusiasm. Before the Fire of London, Paul's Walk—the nave of St. Paul's—was a lounge for idle people, not a place for public devotion. Our army is too much of a Paul's Walk—a professional lounge for young men of family and small brains, not a place for hard work and intellectual culture.

Fielding caustically remarks that in his day 'Nature hath made in some persons the skull three times as thick as in those of ordinary men, who are designed to exercise talents which are vulgarly called rational, and for whom, as brains are necessary, she is obliged to leave some room for them in the cavity; whereas, those ingredients being entirely useless to persons of the heroic calling, she hath an opportunity of thickening the bone, so as to make it less subject to any impression, or liable to be cracked or broken; and, indeed, in some, who are predestined to the command of armies, she is supposed sometimes to make

that part perfectly solid.'[1] We have advanced far since Fielding's day, and we have competitive examinations before candidates can be admitted to Woolwich. But that is not enough. Still the prejudice remains among parents that any boy, if he be not clever, is suitable for an officer, as that any boy, who is deficient in manliness, is cut out by nature to be a parson. The cream of intelligence is given to commerce. The sharp, clever boy goes into business, the dunce or dawdle into the army, and the milk-sop into the Church. Competitive examination sifts out the worst of the candidates. But all pass into the army out of Woolwich, as they will pass out of life into Paradise, exclaiming, 'Glory be to God, now we have nothing more to do but to kick our heels.'

Pluck, as the Prussian major at Aix truly said, a hundred years ago, is not an element to be considered in modern warfare. Of course our soldiers go into battle with it just as they go into battle wearing a pair of trowsers—*ça va sans dire.* But one is as much conducive to victory as the other. Professional skill is the essential element of success in modern warfare. The great advantage of this is dexterity in the handling of masses. The head may conceive a project, but unless hand and foot execute it instantaneously, the chance of its success is lost. This dexterity is the result of constant practice. It is precisely the same with an army as with the human body: rapidity of movement, dexterity, is the result of laborious practice. An acrobat can execute the most astonishing evolutions with his body, and put it into the most unusual attitudes; a prestidigitator can work magic with his nimble fingers. A German army is trained like an acrobat and a prestidigitator. Finger and foot are obedient to instant command of the brain, and perform their task with such

[1] *Joseph Andrews*, bk. ii. ch. 9.

rapidity that the thing is done, and the means are unperceived. This must be acquired by hard and incessant practice, and till this is acquired by our army we shall be unable to cope with a military power trained on the modern principle. In the German army the important part played by the *critique* has been pointed out. It quickens the intelligence of every member of the body. It does more, it creates interest in the science. This is a feature not sufficiently carried out in the English service. Instruction on the why and wherefore of every evolution, manœuvre, and detail of the service is not given and made general. If this were adopted, interest in the profession might be expected to awake.

The German army, there can be no question, is a crushing charge on the country. The field army for 1878, exclusive of Landwehr and Landsturm formations, but inclusive of trains and administration, consisted of 17,310 officers, and 687,594 men, 1,800 guns, and 233,592 horses; the reserve of 4,426 officers, 243,095 men, 426 guns, and 30,590 horses. The garrisoning army, inclusive of Landwehr, consisted of 10,107 officers, 353,102 men, 324 guns, and 37,414 horses. The whole available force on a war footing is consequently 31,843 officers, 1,203,791 men, 301,536 horses, and 425 field batteries, with 2,550 guns. Should war be declared the German army would be divided into 120 to 150 Landwehr battalions, 144 Landwehr squadrons, and 54 field batteries, so that there would be ready for active use at once 900,000 men and 2,024 field-pieces. This force may be further increased by 148 fourth field and 148 to 293 Landsturm battalions.

The army costs the country, 1878–79, as much as 328,000,000 marks, or 16,400,000*l.*[1] The total demand of the War Department for army and navy for 1878–79 is

[1] The English army for the same period, 15,595,800*l.*

479,000,000 marks, 23,950,000*l.* We pay 26,450,700*l.* for a far superior navy and a vastly inferior army; but it must be remembered that Germany is not only paying this enormous sum in taxes, direct and indirect; it is also sacrificing three years of the life of nearly all its young men, and two months a year for four years more of the time of those who pass into the reserve, all which time might have been occupied in earning money. But not only are the earnings of some seven hundred thousand men annually lost, but neither men nor junior officers can live on their pay. They must draw upon their parents' savings for three years. A soldier's pay is 30 Pfennige per diem; in addition, he gets a sum which varies according to the prices of the markets of the garrison in which he may be quartered. On an average it may be stated as 15 Pfennige, making a total of 45 Pfennige. From this total a deduction is made of 30 Pfennige, to pay for his rations at breakfast and dinner. The soldier receives also a daily ration of commissariat bread. The dinner consists of soup, some meat and vegetables, no beer. For breakfast, soup and bread. For supper he must pay extra. It is quite impossible for growing young men to live on the rations and the 15 Pfennige or 1¾*d.* a day, which falls to them. Those who are very poor hang about the kitchens of the hotels and restaurants for broken meat, some do a little work in their spare time to earn a few coppers. But generally they are supplied with money by their relations.

What a terrible charge the army is to the country may be judged by the facts just stated. The questions that arise are: Is it necessary? and, Is the army worth this?

That it is necessary few Germans will dispute. France has adopted universal military conscription, and is working with might and main, and with marked success, to re-

organise its army; the rapid strides it is making force Germany not to relax her efforts. If France is awake, Fatherland must not go to sleep. That France desires to wipe away the humiliation of 1870–71 no German doubts, and he knows that it is only because Germany does not relax her efforts that France is not already at her throat. I have heard many and general regrets expressed over the war of 1870–71, and acknowledgments that the greatness of the success has proved a misfortune in the end—regrets also that the boundary was not drawn at the Vogesen instead of the heights above Metz; but I have not heard one man express a doubt that the armed attention of Germany is necessary now, and will be for years to come. That it is disastrous to commerce, a burden on the country, they admit, but they know well also that it is unavoidable.

And if the answer 'yes' must be given to the first question, whether this universal armament be necessary, so must a 'yes' be given to the second. The army is well worth what it costs the country. It is the great school not only of polishing the manners, and quickening the intelligence of the nation, but it is teaching something more—patriotism, and saturating the consciousnesses of all the youth of the country with the necessity there exists for Germany to be *One*. It is fusing Hessian, and Prussian, and Badenser, and Würtemberger, Hanoverian, and Saxon, and Bavarian into one German people. It is undoing that particularism which was the bane of the past. The lesson may be an expensive one to learn, but it is a lesson that must be learned at any cost.

END OF THE FIRST VOLUME.

*Spottiswoode and Co., Printers, New-street Square, London.*

00032438

Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018